IMT Nuremberg Archives

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International Court of Justice

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TRIAL BRIEF ON THE ACQUIRING OF TOTALITARIAN CONTROL OVER GERMANY: POLITICAL FIRST STEPS; CONTROL ACQUIRED

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DOCUMENT NO. L-83

City of Washington)
) ss:
District of Columbia)

Gerhart H. Seger being first duly sworn deposes and says:

1. I was born in Leipzig, Germany, in 1896 and lived there until my induction into the German Army in 1915. I was successively attached to the Cavalry, Infantry and Air Force, and concluded my military service as a pilot in the German Air Force. I experienced a considerable amount of combat flying duty, was shot down over France in August 1918. I received several decorations, one of which was the highest medal awarded by the Austrian government. Following my demobilization from the Army I attended Leipzig University where I received a degree in journalism in March 1920. Thereafter I became editor of a newspaper in Berlin in the period 1920-1923. After that I held a position with the German Peace Society until 1928, edited a paper in Dessau during the period 1928-1933, and was elected to the Reichstag in 1930.

2. During the period after World War I up until my commitment to the Leipzig jail and Oranienburg concentration camp in the spring of 1933 following the Nazis' accession to power in January of that year, my business and political affiliations exposed me to the full impact of the Nazi theories and practice of voilent regimentation and terroristic tactics. My conflicts with the Nazis by virtue of my identification with the peace movement, and as a duly elected member of the Reichstag representing a political faith (Social Democratic Party) hostile to National Socialism, clearly demonstrated that, even in the period prior to 1933, the Nazis considered crimes and terrorism a necessary and desirable weapon in overcoming democratic opposition. The knowledge acquired as a result of these personal experiences during the period eventuating in successful culmination of the Nazis' efforts to seize power led me to a realization of some of the fundamental purposes and objectives which that group sought to accomplish by the systematic adoption of these tactics. The lapse of time attested the validity of that realization. While rarely openly articulated during the period embraced by my personal knowledge, the overt actions and studied practices of the Nazis could be directed to only one goal; namely, the perfection of rigid control over Germany as a preliminary step to dominance in Europe, and, possibly, eventual world hegemony. At that time the basic pattern was in process of formulation. The following aspects of that pattern were evidenced by the actions of the Nazis which came within the scope of my personal experience:

(a) Destruction of political resistance to the Nazi ideology by terrorizing, confining, and destroying democratic opposition elements.

(b) Division of German citizenry on a racial basis and discrimination against those who were adjudged not to be of German blood.

(c) Unlawful appropriation, spoliation, and forced sale of property for the personal enrichment of Nazis and for the purpose of establishing, solidifying, and maintaining internal control in Nazi hands.

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(d) Destruction of racial minorities and political opponents through systematic underfeeding, deprivation of a livelihood, clothing, shelter, food and medical care; deportation of forced labor; work under inhumane conditions.

While the attainment of power was a necessary condition to the full flowering of the Nazi criminal and terroristic methodology, the outcroppings of such a policy were visible in the years preceding 1933. Specific overt acts, within the scope of my personal knowledge, which evidence the Nazis' belief at that time that the use of force, regimentation, and terrorism was necessary to the accomplishment of their purposes, are included in this statement.

3. In 1923 my interest in the German peace movement induced me to accept the position of Secretary General of the Deutsche Friedensgesellschaft which was the leading organization within Germany advocating compliance with the terms of the Treaty of Versailles on the part of Germany. At that time the important policy issue before the German public was whether Germany should conscientiously fulfill its obligations under the Treaty of Versailles with a view to obtaining its gradual revision in a peaceful manner or whether there should be a concerted, albeit clandestine, effort to sabotage the Treaty. The Peace Society with which I became affiliated advocated adherence on the part of Germany to the Treaty of Versailles and a policy of reconciliation with former allies. Espousal of these principles enabled this organization to make a substantial contribution to the cause of peace. Its president, Dr. Ludwig Quidde, the Historian of Munich University, was awarded the Nobel Peace Prize in 1925. In its opposition to clandestine militarism the tenets of this organization were diametrically opposed to the principles and practices of the National Socialist Party. The latter party and sympathetic militaristic interests evolved the theory of the "unreality of defeat" and that "our armies were not beaten" as a basis for the doctrine that since the conclusion of the war a shame and disgrace had befallen Germany which could only be rectified by a great sacrifice, eventually, a war. Thus, the ideological predicate was laid for a vehement militarism on the part of these groups.

4. The antagonism of the followers of Hitler to my organization was dramatically demonstrated on numerous occasions when meetings of the Peace Society were broken up and terrorized by shock-troops and SA units. A number of examples are given below:

(a) One such occasion relates to a meeting in Essen in May 1923. At that time France had occupied the Ruhr Basin as a result of Germany's default on her Treaty obligations. While the German government had instructed the population of that territory to refrain from any acts of violence, the Nazi Party organized groups of saboteurs to create unrest and stimulate violence. The best known leader of the saboteurs was a soldier of fortune by the name of Leo Schlageter who subsequently was sentenced to death by a French military court and executed. In its program of supporting the government the German Peace Society arranged for a number of meetings in that territory to impress upon the population the necessity for an attitude of understandings. I was scheduled as the principal speaker at one of these meetings which was held in Essen during the month of May, 1923, attended by an audience of several thousands of persons. Before the meeting got underway an organized Nazi group strong-armed their way to the platform with the announced purpose of attacking me, but were prevented from reaching the stage by local police. However, they

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assaulted a number of participants of that meeting and succeeded in creating such a disturbance that the meeting had to be adjourned.

(b) Another such occurrence took place in the spring of 1925, at Siegen, Westphalia, where a meeting was scheduled to take place at the municipal auditorium. Shortly before the meeting a large group of the SA gained entrance to the building and occupied the front part of the auditorium. The presiding officer of the meeting was to be the chairman of the local branch of the German Peace Society who was a war veteran having lost both of his legs. While I was accompanying him slowly from the railroad depot toward the municipal auditorium we were overtaken by storm troopers who were discussing their plans to prevent this meeting from being carried out. We also heard that both the chairman of the meeting and I, as the speaker, were to be beaten up and forced out of town. Nevertheless, we proceeded to the auditorium and I began my address which was constantly interrupted by cat calls and insulting remarks. Finally the Nazis arose as a group and tried to storm the stage. However, they were prevented from doing so by Prussian State Police who had appeared in sufficient numbers to thwart the attempt. This rowdyism necessitated premature adjournment of the meeting by the Chief of Police. The chairman of the meeting was escorted to his house by the police and a guard accompanied me to the railroad depot.

(c) On one occasion during the period of my association with the German Peace Society I wrote and caused to be published a pamphlet or monograph on the subject of the "Black Reichswehr." This was a commentary on the methods pursued by the Reichswehr in seeking to evade the terms of the Treaty of Versailles. Shortly after this document was distributed the Nazi press, including Hitler's own newspaper, "Voelkischer Beobachter," demanded my indictment for treason. Prior to the publication of this pamphlet the Pact of the Locarno had been signed and the allied forces withdrew their Army of Occupation, thus leaving to Germany the fulfillment of the Versailles Treaty without formal Allied supervision. The violent criticism to which this document was subjected evidenced the open hostility of the Nazis to any program contemplating the revision of the Treaty of Versailles by peaceful or legal methods.

(d) The foregoing represent examples of the tactics and attitude of the Nazis with reference to the German Peace Society. It, of course, exemplified their attitude toward any person or organization which stood for adherence to the Treaty of Versailles and the restraint of German militarism. It is not necessary for me to relate further specific examples of the terroristic methods to which I was exposed during the period of my connection with this Society. The foregoing instances were repeated many times. These events made it apparent that the Peace Society would thereafter be ineffective in combatting the militaristic trend which had the silent support of the Reichswehr and the open espousal of the Nazis as well as the Conservative-Nationalist Party led by Dr. Hugenberg. Therefore, I left my position with the German Peace Society and returned to my journalistic profession. I became the editor of a daily social democratic newspaper, the "Volksblatt", published in Dessau, Anhalt.

5. The former Dukedom of Anhalt was part of the Reichstag Constituency No. 10, Magdeburg-Anhalt. I was selected

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by the Social Democratic Party of the Constituency as one of its candidates for membership in the Reichstag, and ran for election which took place on the 14th of September 1930. I was elected at that time. This was the first election in which the Nazis made substantial gains, having increased their number of representatives in the Reichstag from 13 to 107. During the campaign Nazi terrorism was prevalent in those Constituencies in which they were desirous of making a showing or where they thought they had a chance of winning. In this election Himmler was one of my competitors; also General von Seeckt, who, although not a candidate of the Nazi Party, had earned the support of the Nazis by virtue of his militaristic views. These leaders received sufficient votes for election under the system of proportional representation. Himmler's candidacy made the result of the election in this district a question of party prestige. One of the means employed by the Nazis to insure a particular success in that district was to bring in prominent outside speakers of their Party together with an imposing detachment of storm troopers. They not only followed this strategy in meetings arranged for their own speakers where storm troopers prevented anyone connected with the opposition from taking the floor, but they also sent speakers into meetings of other political parties accompanied by many storm troopers, often physically taking over the meeting. One particular meeting which the Nazis tried to take over physically was held during that campaign in the city of Raguhn in Anhalt. The meeting was called by the Social Democratic Party and I was the principal speaker. The Nazis brought with them, as speaker, the leading SA officer and Gauleiter of the Province of Silesia, Edmund Heines. As soon as Heines was given the floor to reply to my address, the storm troopers advanced toward the stage and made preparations to take the meeting over. The State Police of Anhalt, however, was represented in sufficient strength to forestall that audacious attempt.

6. Another meeting during that campaign took place in the City of Aschersleben where the Nazis brought in as their speaker Roland Freisler who later became the Minister of Justice in the Nazi government of Prussia. Freisler brought with him such a large detachment of storm troopers, some of whom were armed with pistols and clubs, that they succeeded in forcibly excluding everybody not in sympathy with their views, and thus concluded as their own meeting the one which had been called by the Social Democratic Party.

7. As in the case of terroristic tactics manifested in connection with meetings of the Peace Society, the foregoing incidents are representative of the systematic practices of the Nazis with reference to their political opponents. These violent tactics, repeated many times, are thus demonstrated to have constituted an integral aspect of their political creed. Always the first endeavor of this method was to transmute political dispute into physical combat, and thus to rely on superior fighting technique and brutality as a method of achieving success in the public forum.

8. Even in the actual deliberations of the Reichstag the Nazis resorted to the same ruthless procedures. Here again they sought to destroy parliamentary government and attain their ends by a display of aggression and the use of oppressive methods. Illustrative of their actions within the halls of the Reichstag are the following:

(a) On the 14th of September 1930, 107 Nazi members of the Reichstag were elected out of a total membership of

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524. This group of 107 Nazi members conducted themselves like a storm troop unit. Whenever representatives of the government or the democratic parties spoke the Nazi members marched out in a body in studied contempt of the speaker, or entered in a body to interrupt the speaker, thus making it physically impossible for the Reichstag President to maintain order.

(b) According to the rules of the Reichstag a limited speaking time was accorded to each speaker depending upon his place in the debate. The speaker of the house was charged with maintaining that schedule. It was one of the favorite tactics of the Nazis to disrupt the schedule by a noisy demonstration whenever one of their own speakers ran overtime and was cut off by the Reichstag President. On such occasions, the Nazis created such a bedlam that the President could not make himself heard. Similarly, in the case of speakers of opposition parties, the Nazi members constantly interrupted, often resorting to lengthy and spurious parliamentary maneuvers, with the result that the schedule of the session was thrown out of gear.

(c) The tactics of disturbance of parliamentary proceedings employed by the Nazis finally culminated in physical attacks upon members of the house as well as visitors. At one time in 1932 a visitor, Helmuth Klotz, who came to call on a democratic member of the house was physically attacked by the Nazis. Klotz had been a well-known submarine commander in the German Navy in World War I and, as an ardent supporter of the republic, had publicly opposed a policy of secretly rearming Germany thus incurring the wrath of the Nazi Party. He was attacked in a corridor of the Reichstag Building by Heines and other Nazi members of the house, and, when democratic members of the house came to his rescue, the Nazis called more of their members to press the assault until the Reichstag President found it necessary to call the police to restore order.

(d) The Nazi members who were the greatest offenders in disrupting the proceedings and in employing oppressive tactics were Joseph Goebbels, Robert Ley, Alfred Rosenberg, Erich Koch, Edmund Heines, Hans Frank, Fritz Terboven and others whose names I do not recall.

(e) That the Nazis had already conceived the device of the concentration camp as a means of suppressing and regimenting opposition elements was forcefully brought to my attention during the course of a conversation which I had with Dr. Wilhelm Frick in December 1932. Frick at that time was Chairman of the Foreign Affairs Committee of the Reichstag of which I was a member. When I gave an emphatic answer to Frick concerning the particular matter discussed, he replied, "Don't worry, when we are in power we shall put all of you guys into concentration camps." When the Nazis came into power Frick was appointed Reichsminister of Interior and promptly carried out his threat in collaboration with Goering, as Chief of the Prussian State Police, and Himmler.

(f) Early in July 1932 the Reichstag was dissolved and elections scheduled for the 31st of July. Again the Nazis manifested their contempt for democratic processes by the increased use of force during the course of the campaign. Interruption of meetings, heckling and beating of democratic speakers, and general terroristic practices were resorted to in full measure during that campaign. I was again re-elected to the Reichstag at the conclusion of the

campaign. It was far more difficult at that time to obtain adequate protection from the Prussian State Police for the reason that the Papen-Putsch of 20 July 1932 resulted in the declaration of martial law in Prussia. The Reichwehr, under the command of General Gerd von Rundstedt, did little to maintain order at political meetings.

(g) After Hitler was appointed Chancellor on 30 January 1933 the Reichstag was again dissolved and an election scheduled for the 5th of March. Nazi methods of terror reached a peak in this campaign. During the period immediately preceding the scheduled election date I was campaigning in my home district where the Nazis had taken a dominant part in the election. On the 2nd of March between the hours of 2:00 and 3:00 a.m. my wife and I were awakened by a disturbance in the street. Five storm troopers appeared in front of the apartment house calling my name. My wife stepped out of our bedroom onto the balcony to ascertain the cause of the disturbance. As she did so one of the storm troopers fired a revolver and the shot went over her head into the ceiling of our bedroom. The next day I took my wife and daughter to the home of my mother in the city of Leipzig intending to stay there until the Reichstag reconvened. On Sunday, March 12, while my wife was taking our child out for a walk the door bell at my mother's apartment rang. Three local policemen and four SA men appeared at the door and requested me to identify myself which I did. Thereupon, they took me in an automobile to a police jail in the City of Leipzig where I was kept in solitary confinement for two days. On March 14 I was transferred to the county jail of Dassau where I was again kept in solitary confinement for three months. During the period of my incarceration in these prisons I was given relative freedom in the use of my time and was, in general, treated properly. From time to time I was interrogated by Dessau police officers in a manner indicating that they would like to establish that I was connected in some way with the Reichstag fire. This was an obvious "red-herring" which the police, on orders of the Gestapo, resorted to for the purpose of suggesting some justification, however tenuous, for my continued detention. The transparent absurdity of this tactic finally induced the police to abandon it.

9. During my imprisonment I made every attempt within my power to bring about my release or, at least, to have charges filed in the desperate hope that they might be the subject of a judicial hearing. Among other things, I wrote a letter to the President of the German Supreme Court, Dr. Erwin Bumke, pointing out that my arrest constituted an infringement of my parliamentary immunity, as a member of the Reichstag Foreign Affairs Committee, which continued in effect until the New Reichstag convened. Also, in oral and written communications to various officials, I insisted on the protection afforded to citizens of Germany under the Weimar Constitution. My lawyer demanded that charges against me be filed or otherwise made known to me. These efforts were wholly ineffective. Charges were never filed nor did I receive a single coherent statement from any Nazi or police official, high or low, which informed me of the legal or, indeed, the political basis for my incarceration. Evidently, my only sin was my refusal to subscribe to the principles and methods of the Nazi Party. That refusal was reflected in my public and parliamentary statements and in my writings. Such disagreement was consistently peaceful and never implemented by physical aggression or by my association with any group which

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sponsored the use of physical force. However, under the regime which came into power on 30 January 1933, mere disagreement involved, inexorably, jeopardy of the heretic's life.

10. On 14 June 1933 I was transferred to the concentration camp at Oranienburg. I remained in Oranienburg until the 4th of December 1933 when I escaped from that institution and was fortunate enough to get across the German-Czechoslovakian border. My experiences in that camp have heretofore been documented in my book entitled, "A Nation Terrorized" which was published by the Reilly & Lee Company, Chicago, in 1935.

Signed: Gerhart H. Seger

Subscribed and sworn to before

me this the 21st day of July 1945.

SIGNED: EDWARD L. DAVIS
Notary Public.

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OFFICE OF CHIEF OF COUNSEL

HOTEL KAISERHOF
Berlin W 8

Berlin 24 August 1931

My dear Mr. Rosenberg.

I am just reading in the VOELKISCHER BEOBACHTER, edition 235/236, page 1, an article entitled "Does Wirth intend to come over?". The tendency of the article is to prevent on our part a crumbling away from the present form of government. I myself am travelling all over Germany to achieve exactly the opposite. May I therefore ask that my own paper will not stab me in the back with tactically unwise articles.

Persons, who are known to seek connection or are even prepared to break from the present constellation, are to be spared under all circumstances. Our fight is to be directed in the first line against the stubborn defenders of the present course and against persons who reject us.

I ask therefore the VOELKISCHER BEOBACHTER as well as the Party Press Office to pay punctilious attention to this in the interest of our work.

With German greetings,

signed: ADOLF HITLER

An identical information went to
Mr. Dr. Dietrich, Party Press Office

signed: WILHELM BRUECKNER
Adj.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 047 - PS

30 Oct. 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. O-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. 047-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

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TRANSLATION OF DOCUMENT 351-PS
OFFICE OF U.S. CHIEF OF COUNSEL

LIST OF THE MEMBERS OF THE REICH CABINET SINCE 30 JANUARY 1933

Reichs Chancellor Adolf Hitler, appointed 30 January 1933

Fuehrer and Reichs Chancellor since 2 August 1934

Name	Appointed	Reappointed	Resigned
The Deputy of the Reichs Chancellor von Papen	30.1.1933		30.7.1934
1. The Deputy of the Fuehrer Hess, Reichsminister without portfolio	1.12.33		
2. Reichs Minister of Foreign Affairs Freiherr von Neurath	2.6.32	30.1.33	
3. Reichs and Prussian Minister of the Interior - Dr. Frick	30.1.33		
4. Reichs War Minister and Supreme Commander of the Armed Forces von Blomberg	30.1.33		
5. Reichs Minister for Finance Graf Schwerin von Krosigk	2.6.32	30.1.33	
6. Reichs and Prussian Minister of Economy - Dr. Hugenberg	30.1.33		29.6.33
Dr. Schmitt	29.6.33	x)	30.7.34
		xx)	30.1.35
Commissioned: President of the Reichs Bank Directorate Dr. Schacht	30.7.34		Temporary or 6 month
	30.1.35		Until further notice

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Name	Appointed	Reappointed	Resigned
x) 30.7.34 Relieved from the Office of the Reichs Minister for Economy for 6 mos.			
xx) 30.1.35 Relieved of his offices.			
7. Reichs and Prussian Minister for Labor - Seldte -	30.1.33		
8. Reichs Minister of Justice Dr. H.C. Guertner	2.6.32	1.2.33	
9. Reichs Postmaster General and Reichs and Prussian Minister of Transportation Freiherr von Eltz-Ruebenach	1.6.32	30.1.33	
10. Reichs and Prussian Minister for Food and Agriculture			
Dr. Hugenberg	30.1.33		29.6.33
Darre	29.6.33		
11. Reichs Minister for Englightment and Propaganda Dr. Goebbels	13.3.33		
12. Reichs Minister for Aviation - Goering			
Reichs Minister without portfolio	30.1.33		
Reichs Minister for Aviation	5.5.33		

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		Appointed	Reappointed	Resigned
13.	Reichs and Prussian Minister for Science and Education, Rust	1.5.34		
14.	Reichs and Prussian Minister for Church Affairs, Kerrl			
	Reichs Minister without portfolio	16.6.34		
	Reichs and Prussian Minister for Church Affairs	16.7.35		
15.	Reichs Minister without portfolio	19.12.34		

State Secretary of the Reichs Cabinet:

Dr. Lammers, State Secretary and Chief of the Reichs Chancellory	30.1.33

Press Chief of the Reichs Cabinet:

Funk	30.1.33
Director of the Ministry	30.1.33
State Secretary in the Reichs Ministry for Englightenment and Propaganda	13.3.33

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TRANSLATION OF DOCUMENT 351-PS
Cont'd.

Present

at the First Session of the Cabinet of Adolf Hitler

on 30 January 1933 at 5:00 p.m.

Present:

Reichs Chancellor	Hitler
Deputy of the Reichs Chancellor and Reichs Commissar for the State of Prussia	von Papen
Reichs Minister of Foreign Affairs	Freiherr von Neurath
Reichs Minister of the Interior	Dr. Frick
Reichs Minister of Finance	Graf Schwerin von Krosigk
Reichs Minister of Economy	Dr. Hugenberg
Reichs Minister of Labor	Seldte
Reichs Minister of Justice	
Reichs Defense Minister	von Blomberg
Reichs Postmaster General and Reichs Minister for transportation	Freiherr von Eltz-Ruebenach
Reichs Minister and Reichs Commissar for Aviation	Goering
Reichs Commissar for Procurement of Labor	Dr. Gercke
State Secretary in the Reichs Chancellory	Dr. Lammers
State Secretary in the Office of the Reichs President	Dr. Meissner
Reichs Press Chief, Director in the Ministry	Funk
Responsible for the Protocol Counsellor in the Ministry	Wienstein
Reichs Minister for Food and Agriculture	Dr. Hugenberg

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TRANSLATION OF DOCUMENT 351-PS
OFFICE OF U S CHIEF OF COUNSEL

Subject:

The Political Situation.

The Reichs Chancellor opens the session and explains that millions of people within Germany would joyfully greet this day on which a Reich Cabinet under his leadership had been appointed by the Reich President. He asked the members of the Cabinet to give him their confidence as he himself had confidence in each member of the Cabinet.

Then the Chancellor stated that he intended to suggest to the Reich President the appointment of the Counsellor in the Ministry, Dr. Lammers, to the post of State Secretary in the Reich Chancellor in place of the retired State Secretary Planck, and the appointment of the member of the Reichstag, Walter Funk, to the post of Director in the Ministry and Director of the Press Office in place of the retired Director in the Ministry, Marcks.

The Reich Cabinet took note of this. There were no objections against his proposal.

The Reich Chancellor then opened a discussion about the political situation.

Reich Minister Goering stated that he had contacted the Center Party. The Center Party felt offended because they had not been informed about the development of the situation. As he had been informed Reich Chancellor von Papen had not contacted the representatives of the Center Party. He, Reich Minister Goering, was under the impression that the Center Party expected certain concessions from the present Reich Cabinet.

The Reich Minister for Economy and Reich Minister for Food and Agriculture stated that it would be wise to avoid any brusque actions toward the Center Party. However, the representation of the Center Party in the Reich Cabinet was to be avoided since, in his opinion, it would endanger the unity of decisions of that body.

The Reich Chancellor pointed out that adjournment of the Reichstag would be impossible without the collaboration of the Center Party. On might, however, consider suppressing the Communist Party to eliminate its votes in the Reichstag and by this measure achieve a majority in the Reichstag. Based on his experiences, however, such suppressions of parties were of no avail. He was afraid that heavy political fights and possibly a general strike might be the result of this contemplated suppression of the Communist Party of Germany. Surely the economy of the count needed settled conditions. If, however, one discussed the question of the greater danger for the national economy, the uncertainty and unrest connected with new elections or a general strike, then one had to arrive at the conclusion that a general strike would be far more dangerous for the national economy.

H1098 - 0018

TRANSLATION OF DOCUMENT 351-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

It appeared flatly impossible to suppress the 6,000,000 people who stood behind the Communist Party of Germany. It might be possible, however, to achieve a majority for the new Reich Cabinet after dissolving the Reichstag and the new elections which had to fall soon. The best thing, however, would be if the Reichstag should adjourn itself volunterily.

The Reich Minister for Economy and the Reich Minister for Food and Agriculture explained that he certainly has not longing for a general strike. In his opinion, however, it was impossible to avoid the suppression of the Communist Party of Germany. If that were not done one could not achieve a majority in the Reichstag, certainly not a majority of two-thirds.

After the suppression of the KPD the passage of an enabling law (Ermaechtigungsgesetz) through the Reichstag would be possible. He doubted that there would be a general strike after the suppression of the KPD. He preferred the suppression of the KPD to new elections.

H1098 – 0019

Reich Minister Goering stated that the Communists had planned a demonstration for this evening (30 January), which he had prohibited. On the basis of his investigations the KPD would not be poepared for a general strike at the present. The social democrats were pressing for a discussion in Reichstag.

In his opinion it would be best to dissolve the Reichstag as soon as possible and to hold new elections. The Reich Chancellor had given his word that the present constellation of the Reich Cabinet would not be altered even after new elections.

The Reich Chancellor confirmed the correctness of this statement.

The Reich Minister for Labor declared that there was great joy in the ranks of the Steel Helmet (Stahlhelm) about the forming of the present Reich Cabinet. There was no more friction between the Steel Helmet and the SA.

In his opinion it would not be wise to let the first act of the present Reich Cabinet consist in the suppression of the KPD which might result in a general strike.

The Deputy of the Reich Chancellor and the Reich Commissar for Prussia pointed out that the German nation needed a rest. In his opinion it would be best initially to request an Enabling Law from the Reichstag. If such a law would not be passed the situation could be tackled anew. The Reich Chancellor declared that the general strike was not to be taken lightly. To suppress a possible general strike the Reichswehr should not be committed, if possible,

The Reich Minister for Defense thanked the Reich Chancellor for this attitude and emphasized that the soldier is only used to thinking of his opponent as an enemy from outside.

The Reich Minister for Foreihn Affairs discussed the question of whether a suppression of the KPD with the possible consequence of a general strike were to be preferred to new elections for the Reichstag under foreign political consideration. He came to the conclusion that a suppression of the KPD with the possible consequence of a general strike would be, by fary the more serious outlook.

The Reich Minister for Finance pointed out that the financial status of the Reich, the States, and the Counties could only be adjusted through a slow improvement of the economic situation. He regarded the suppression of the KPD as a last political means. State Secretary Dr. Meissner proposed for the discussion whether an Enabling Law was to be proposed which would contain provisions for measures to be taken by the Reich Cabinet in the interest of combating unemployment. Such an Enabling Law would only a simple majority in the Reichstag.

Reich Commissar Dr. Gereke stated that the Center Party would not tolerate the Cabinet. Speedy new elections to the Reichstag would become necessary. The Deputy of the Reich Chancellor and the Reich Commissar for the State of Prussia suggested that the Reich Chancellor, in an interview, would state at the earliest opportunity that the rumors about the danger of inflation and the rumors about the danger of the rights of civil servants are untrue. The Reich Chancellor agreed to this. He further informed the meeting that he would contact representatives of the Center Party in the morning of 31 January.

A new meeting of the Ministers is to take place on 31 January at 4:00 p.m.

The Reich Cabinet took note of this.

Signed:

Wienstein 31.1

H1098 – 0020

TRANSLATION OF DOCUMENT 351-PS
OFFICE OF US CHIEF OF COUNSEL
(cont.)
12 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT 351-PS

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify, that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 351-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1098 -0021

PARTIAL TRANSLATION OF DOC. NO. 404-PS
OFFICE OF U.S. CHIEF OF COUNSEL

MEIN KAMPF
by
ADOLF HITLER
41st Edition
1933

Verlag Franz Eher Nachfolger, GMm. b.H. Muenchen.

Page 607, Line 37 to Page 608 complete.

For this reason alone, The SA of the NSDAP could have nothing in common with a military organization. It was an instrument for defense and education of the National Socialist movement and its tasks lay in an entirely different province from that of the so-called combat leagues (Wehrverbaende). But it could also constitute no secret organization. The aim of secret organizations can only be illegal. In this way, the scope of such an organization is automatically limited. It is not possible, especially in view of the talkativeness of the German people, to build up an organization of any size and at the same time to keep it outwardly secret or even to veil its aims. Any such intention would be thwarted a thousand times. Not only that our police authorities today have a staff of pimps and similar rabble at their disposal, who will betray anything they can find for the Judas payment of thirty pieces of silver, and even invent things to betray, but the supporters themselves can never be brought to the silence, that is necessary in such a case. Only very small groups, by years of sifting, can assume the character of real secret organizations. But the very smallness of such organizations would remove their value for the National Socialist movement. What we needed and still need were and are not a hundred or two hundred reckless conspirators, but hundreds of thousands of fanatical fighters for our philosophy of life (Weltanschauung). We should not work in secret conventicles, but in mighty mass demonstrations, and it is not by dagger and poison or by pistol that the road can be cleared for the movement, but by the conquest of the streets. We must teach the Marxists that the future master of the streets is National Socialism, just as it will some day be the master of the state.

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CERTIFIC TE OF TRANSLATION
of DOCUMENT NO. 404-PS

17 November 1945

I, WILLARD EVANS SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct excerpt from translation of Document 404-PS.

WILLARD EVANS SKIDMORE
Lt. (jg) USNR
391590

H1098 - 0022

TRANSLATION OF DOCUMENT 1388-A-PS
Office of U.S. Chief of Counsel.

1933 REICHSGESETZBLATT I p.479

LAW AGAINST THE NEW ESTABLISHMENT OF PARTIES

July 14, 1933

"Gesetz Gegen die Neubildung von Parteien"

Vom 14.July,1933

The German Government has enacted the following law, which is herewith promulgated:

Art.1

The National Socialist German Worker's Party(Nationalsozialistische Deutsche Arbeiterpartei) constitutes the only political party in Germany.

Art.2

Whoever undertakes to maintain the organizational structure of another political party or to form a new political party will be punished with penal servitude up to three years or with imprisonment of from six months to three years, if the deed is not subjet to a greater penalty according to other regulations.

Berlin, den 14 Juli, 1933.

The Reich Chancelor
Adolf Hitler

The Reich Minister of the Interior.
Frid

The Reich Minister of Justice.
Dr. Gürtner.

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1388-A - PS

15 Oct. 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1388-A-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-133 55 67

TRANSLATION OF DOCUMENT 1388-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 479

Law confiscating Property subversive to People and State
of 14 July 1933

Gesetz über die Einziehung volks- und staatsfeindlichen Vermögens
vom 14. Juli 1933

The Reich Government has enacted the following law which is hereby promulgated:

The provisions of the Law confiscating Communist Property of 26 May 1933 (RGBl I, 293) are applicable to assets and interests of the Social Democratic Party of Germany and their welfare and affiliated organizations and also to assets and interests which are used or destined to promote Marxist or other activities found by the Reich Minister of the Interior to be subversive to people and state.

Berlin, 14 July 1933

The Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1388-PS

24 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1388-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1098 - 0023

TRANSLATION OF DOCUMENT 1390-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART 1, PAGE 83

Decree of the Reich President for the Protection of the People and State of 28 February 1933

Verordnung des Reichspräsidenten zum Schutz von Volk und Staat vom 28. Februar 1933

In virture of Section 48 (2) of the German constitution, the following is decreed as a defensive measure against Communist acts of violence, endangering the state:

Article 1

Sections 114, 115, 117, 118, 123, 124, and 153 of the Constitution of the German Reich are suspended until further notice. Thus, restrictions on personal liberty, on the right of free expression of opinion, including freedom of the press, on the right of assembly and the right of association, and violations of the privacy of postal, telegraphic, and telephonic communications, and warrants for house-searches, orders for confiscations as well as restrictions on property, are also permissible beyond the legal limits otherwise prescribed.

Article 2

If in a state the measures necessary for the restoration of public security and order are not taken, the Reich Government may temporarily take over the powers of the highest state authority.

Article 3

According to orders decreed on the basis of Article 2, by the Reich Government, the authorities of states and provinces (Gemeindeverbände), if concerned, have to abide thereby.

Article 4

Whoever provokes, or appeals for or incites to the disobedience of the orders given out by the supreme state authorities or the authorities subject to them for the execution of this decree, or the orders given by the Reich Government according to Article 2, is punishable - insofar as the deed is not covered by other decrees with more severe punishments - with imprisonment of not less than one month, or with a fine from 150 up to 15,000 Reichsmarks.

Whoever endangers human life by violating Article 1, is to be punished by sentence to a penitentiary, under mitigating circumstances with imprisonment of not less than six months and, when violation causes the death of a person, with death, under mitigating circumstances with a penitentiary sentence of not less than two years. In addition the sentence may include confiscation of property.

Whoever provokes or incites to an act contrary to public welfare is to be punished with a penitentiary sentence, under mitigating circumstances, with imprisonment of not less than three months.

Article 5

The crimes which under the Criminal Code are punishable with penitentiary for life are to be punished with death; i.e., in Sections 81 (high treason), 229 (poisoning), 306 (arson), 311 (properties), 324 (general poisoning).

Insofar as a more severe punishment has not been previously provided for, the following are punishable with death or with life imprisonment or with imprisonment not to exceed 15 years:

H1098 - 0024

1. Anyone who undertakes to kill the Reich President or a member or a commissioner of the Reich Government or of a state government, or provokes to such a killing, or agrees to commit it, or accepts such an offer, or conspires with another for such a murder;

2. Anyone who under Section 115(2) of the Criminal Code (serious rioting) or of Section 125(2) of the Criminal Code (serious disturbance of the peace) commits the act with arms or cooperates consciously and intentionally with an armed person;

3. Anyone who commits a kidnapping under Section 239 of the Criminal Code with the intention of making use of the kidnapped person as a hostage in the political struggle.

Article 6

This decree enters in force on the day of its promulgation.

Berlin, 28 February 1933.

The Reich President
von Hindenburg
The Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick
The Reich Minister of Justice
Dr. Guertner

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1390-PS

3 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1390-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1098 - 0025

OFFICE OF U.S. CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 1269

Law on treacherous Acts against State and Party, and for The Protection of Party Uniforms of 20 December 1934

Gesetz gegen heimtückische Angriffe auf Staat und Partei und zum Schutz der Parteiuniformen vom 20. Dezember 1934

The Government of the Reich has decided to enact the following law, which is published herewith:

Chapter 1

Article 1

1) Unless heavier punishment is sanctioned under the authority of a law previously established, imprisonment not to exceed two years shall be imposed upon anybody deliberately making false or grevious statements, fit to injure the welfare or the prestige of the government of the Reich, the National Socialist Workers Party or its agencies. If such statements are made or circulated in public, imprisonment for not less than 3 months shall be imposed.

2) Anyone committing the offense insolently and carelessly shall be punished with imprisonment not to exceed 3 months or with a fine.

3) If the offense is directed solely against the prestige of the NSDAP or its affiliated agencies, the offender shall be prosecuted only with the consent of the Fuehrer's deputy or of agencies authorized by him to initiate the prosecution.

Article 2

1) Anyone who makes or circulates statements proving a malicious, baiting or low-minded attitude towards leading personalities of the State or the NSDAP, or towards orders issued by them or towards institutions created by them - fit to undermine the confidence of the people in its political leadership - shall be punished with imprisonment.

2) Statements of this kind which are not made in public shall warrant the same punishment - provided the offender figures on his statements being eventually circulated in public.

3) The offender shall be prosecuted only by the order of the Reich Minister for Justice; in case the offense was committed against a leading personality of the NSDAP, the Reich Minister for Justice shall issue the order in agreement with the Fuehrer's Deputy.

4) The Reich Minister for Justice in agreement with the Fuehrer's Deputy shall determine who is to be regarded as a leading personality as specified in (1).

Article 3

1) Anyone who commits or threatens to commit a punishable act, or who is wearing the uniform or an insignia of the NSDAP, or carries it on his person without being a member of the NSDAP or its affiliated agencies and therefore being entitled to do so, will be punished with forced labor or in minor instances with imprisonment not to exceed 6 months.

2) Anyone who commits the offense with the intention to stir up unrest or to sow fear or terror in the population, or to create difficulties for the German Reich with a foreign power, shall be punished with forced labor not to exceed 3 years or with forced labor for life or in particularly grave cases with death.

3) According to this law, a German national may be punished also if he has committed the offense in a foreign country.

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Article 4

1) Anyone who for the sake of a material advantage or for political ends poses as a member of the NSDAP or its agencies, shall be punished with imprisonment not to exceed 1 year plus a fine or either one.

2) The offender shall be prosecuted only in agreement with the Fuehrer or with those authorized by him.

Article 5

1) Anyone who manufactures, holds in stock, sells or otherwise brings on the market Party uniforms, parts of Party uniforms, textiles, flags or insignias of the NSDAP, its affiliated agencies or organizations, without the permission of the treasurer of the Reich, shall be punished with imprisonment not to exceed 2 years.

2) Anyone who has in his possession Party uniforms and insignias without being a member of the NSDAP or its affiliated organizations, or without being entitled to possess them for any other reason, shall be punished with imprisonment not to exceed 1 year. Anyone who wears any of the above mentioned items, shall be punished with imprisonment not to exceed 1 month.

3) To be put on a par with Party uniforms, parts of Party uniforms and insignia are those uniforms, parts of uniforms and insignias which can easily be confused with them.

4) The uniforms, parts of uniforms, textiles, flags or insignias in question shall be confiscated. In case no particular person can be prosecuted or condemned, the confiscation shall take place all the same - provided conditions justify it.

5) The confiscated items shall be turned over to the Reich Treasurer of the NSDAP or to those agencies appointed by him, for future use.

6) The prosecution of the offense and the confiscation (#4, section 2) can only be undertaken in agreement with the Fuehrer's Deputy or agencies authorized by him to handle this matter.

Article 6

According to the rules set forth in this law, anyone who has obtained membership of the Party through false pretenses, is not a member of the NSDAP, its affiliated agencies or organizations.

Article 7

The Fuehrer's Deputy, in agreement with the Reich Minister for Justice and of the Interior, shall issue the necessary regulations for the execution and completion of Articles 1 to 6.

Chapter 2

Article 8

1) The regulations set forth in this law, with the exception of Article 5 (1) apply accordingly to the "Reichsluftschutzbund", the "Deutschen Lufrportverband", in agreement with the Reich Minister for Air, and by the Minister of the Interior for the Voluntary Labor Service and the "Technische Nothilfe".

Chapter 3

Article 9

Article 5 (1) will become valid on 1 February 1935. The other rules set forth in this law will become valid one day after their publication; the law on treacherous acts against the Government of the National Revolution from 21 March 1933 (RGBl I, page 135) as well as article 4 of the law on the "Reichsluftfahrtverwaltung" from 15 December 1933 (RGBl I, page 1077) are obsolete.

H1098 - 0027

Berlin, 20 December 1934

The Fuehrer and Reich Chancellor
Adolf Hitler
The Reich Minister for Justice
Dr Guertner
The Fuehrer's Deputy and Minister without portfolio
R. Hess
The Minister of the Interior
Frick
also for the Reich Minister for Air

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1393-PS

9 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1393-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1098 - 0028

H1098 -0029

TRANSLATION OF DOCUMENT 1395
Office of U.S. Chief of Counsel

1933 Reichsgesetzblatt Page 1016
1 Dec 1933

Law on securing the unity of Party and State
1 Dec. 1933.

Gesetz zur Gicherung der Ginheit von Partei und Staat, Vom 1 Dezember 1933.

The Reichs government has decided on the following law which is announced herewith:

Art 1

1) After the victory of the National Socialistic Revolution, the National Socialistic German Labor Party is the bearer of the concept of the German State and is inseperably the state.
2) It will be a part of the public law. Its organization will be determined by the Fuehrer.

Art 2.

The deputy of the Fuehrer and the Chief of Staff of the SA will become members of the Reichs government in order to insure close cooperation of the offices of the party and SA with the public authorities.

Art.3

The members of the National Socialistic German Labor Party and the SA(including their subordinate organizations.) as the leading and driving force of the National Socialist State will bear greater responsibility toward Fuehrer, people and state.
2) In case they violate these duties, they will be subject to special jurisdiction by party and state.
3) The Fuehrer may extend these regulations in order to include members of other organizations.

Art 4.

Every action or neglect on the part of members of the SA(including their subordinate organizations) attacking or endangering the existence, organization, activity or reputation of the National Socialistic German Labor Party, in particular any infraction against disaipline and order, will be regarded as a violation of duty.

Art 5.

Custody and arrest may be inflicted in addition to the usual penalties.

Art 6.

The public authorities have to grant legal and administrative assistance to the offices of the Party and the SA which are entrusted with the execution of the jurisdiction of the Party and SA.

Art. 7

The law regarding the authority to inflict penalties on members of the SA and SS, of the 28 April 1933(RGBI p. 230) will be invalidated.

Art. 8

The Reichs Chancellor, as Fuehrer of the National Socialistic German Labor Party and as the supreme commander of SA will issue the regulation necessary for the execution and augmentation of this law, particularly with reppect to the organization and procedure

H1098 - 0030

f the jurisdiction of the Party and SA. He will determine the time at which the regulations concerning this jurisdiction will be effective.

Berlin 1 Dec. 1933

Reichs Chancellor

Adolf Hitler

The Reichs Minister of the Interior

Frick.

- -

5 October 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) USNR, 391590 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1395-PS.

WILLARD EVANS SKIDMORE
Lt(jg) USNR
391590.

H1098 -0031

TRANSLATION OF DOCUMENT 1396-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT Part I, Page 293

Law concerning the confiscation of Communist property
of 26 May 1933

Gesetz ueber die Einziehung kommunistischen Vermoegens
vom 26 Mai 1933

In order to prevent for all times property in the service of communist activities to be used subversively to the State, the Reich Government has enacted the following law, which is hereby promulgated.

Section 1

1) The highest provincial authorities (obersten Landesbehoerden) or offices designated by them may confiscate on behalf of the province, assets and interests of the Communist Party of Germany and their welfare and affiliated organizations (Hilfs- und Ersatzorganisationen) and also assets and interests used or destined for the promotion of communistic activities.

2) The Reich Minister of the Interior may request the highest provincial authorities to take measures under (1).

Section 2

Section 1 is not applicable to assets which have been rented or delivered under reservation of ownership rights, unless the lessor or the deliverer intended to promote communistic activity by the surrender of property.

Section 3

Interests in confiscated assets shall become extinct. However, existing rights in land are not affected by the confiscation of real property; the confiscating authorities may declare such right extinct, where the payment of proceeds can be considered as an intention to promote communistic activities.

Section 4

In order to prevent hardships, creditors affected by the confiscation may be satisfied from proceeds of the confiscated assets.

Section 5

Where measures, according to the spirit of Sections 1 and 3 were taken, prior to the effective date of this law, they may be ratified by the authorized office under Section 1, pursuant to the provision of this law.

Section 6

Measures under Sections 1, 3 and 5 become effective upon delivery of the order to the affected party upon the promulgation of the order.

Section 7

No compensation is granted for measures taken under Sections 1, 3 and 5.

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Section 8

The Reichs Minister of the Interior is authorized to issue legal and administrative regulations for the administration and enforcement of this law.

Berlin 26 May 1933

The Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1396-PS

25 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1396-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1098 – 0033

TRANSLATION OF DOCUMENT 1725-PS
OFFICE OF U S CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART I, PAGE 502

Ordinance on Enforcement of the Law for Securing the Unity of Party and State of 29 March 1935

Verordnung zur Durchführung des Gesetzes zur Sicherung der Einheit von Partei und Staat vom 29. März 1935

By virtue of the law for securing the unity of Party and State of 1 December 1933 (RGBl I, 1016) I order:

A R T I C L E 1.

1) The NSDAP and the Hitler Youth Movement, Inc. are to be expunged in the corporation register. The property of these corporations has without liquidation become the property of the NSDAP as a corporation of public law.

2) The land deeds and other public records are to be corrected free of charge on request.

3) Until the decree of the statute of the NSDAP (Article 1, Section 2 of the Law for Securing the Unity of Party and State of 1 December 1933), the previous statute of the National Socialist German Workers' Corporation, Inc., is applicable in this sense to the NSDAP as a corporation of public law.

A R T I C L E 2.

The SA,
The SS,
The National Socialist Driver Corps (Kraftfahrkorps).
The Hitler Youth (including the Jungvolk, the League of German Girls and Jungmädel).
The National Socialist German Student League,
The National Socialist German Women's Auxiliary (Frauenschaft),
are components of the party.

A R T I C L E 3.

The National Socialist League of German Physicians, Inc.,
The League of National Socialist German Jurists, Inc.,
The National Socialist Teachers' League, Inc.,
The National Socialist People's Welfare, Inc.,
The National Socialist War Veterans' Administration, Incl,
The Reich League of German Officials, Inc.,
The National Socialist League of German Technologists,
The German Labor Front (including the National Socialist foundation "Kraft durch Freude")
are the organizations affiliated to the NSDAP.

A R T I C L E 4.

1) The components of the NSDAP possess no legal character of their own and no property of their own.

2) The NSDAP forms with its components as a corporation of public law, a unit for the domain of the entire organization, with reference to property rights. Therefore the entire corporation is exclusively obligated and justified as to property rights.

H1098 - 0034

3) The Reich Treasurer of the NSDAP is the Plenipotentiary of the Fuehrer in all legal matters relating to property of the NSDAP. The Plenipotentiary rights include the right to assign sub-powers of attorney generally or for individual matters.

ARTICLE 5.

1) The affiliated organizations can possess their own legal character.

2) The affiliated organizations are subject to the financial supervision of the Reich Treasurer of the NSDAP.

3) The other legally determined supervisory rights are not touched by the financial supervision of the Reich Treasurer of the NSDAP.

ARTICLE 6.

All authorities have to assist the Reich Treasurer of the NSDAP and his agent in the fulfillment of his duties and to conform with the requests of the Reich Treasurer of the NSDAP, which go to them on the basis of this order.

ARTICLE 7.

1) The first enforcement order of 23 March 1934 (Voelkischer Beobachter, Munich edition No. 86 of 27 March 1934 and Berlin edition No. 87 of 28 March 1934) on the law for securing unity of party and state dated 1 December 1933 is abrogated.

2) Likewise all previous orders and regulations contrary to the above enforcement order on the law for securing unity of party and state of 1 December 1933 are abrogated.

ARTICLE 8.

1) The Deputy of the Fuehrer issues terms for enforcement and supplementing Articles 2 and 3 of this order. The Reich Treasurer of the NSDAP issues the remaining terms for execution of this order.

2) This law takes effect on the day following its announcement.

Berlin, 29 March 1935

The Fuehrer and Reich Chancellor
Adolf Hitler
The Deputy of the Fuehrer
R. Hess
Reich Minister without Portfolio

The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 1725-PS

19 October 1945

I, FRED NIEBERGALL, 2nd Lt. Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 1725-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1098 - 0035

TRANSLATION OF DOCUMENT 2001-PS
OFFICE OF U S CHIEF COUNSEL

Reichsgesetzblatt, Part I, Page 141

Law to remove the distress of people and State of
24 March 1933

Gesetz zur Behebung der Not von Volk und Reich vom
24.Maerz 1933

The Reich-Parliament has resolved upon the following law which is promulgated herewith with approval of the Reich-Council after it has been established that all the requirements of legislation for changing the constitution have been complied with.

Section 1

Laws for the Reich can be resolved upon also by the Reich-Government besides the procedure provided by the constitution of the Reich. This also applies to the laws pursuant to sections 85 sub-section 2 and 87 of the Reich-Constitution.

Section 2

The laws for the Reich resolved upon by the Reich-Government may deviate from the Reich-Constitution insofar as they do not deal with the institution of the Reich-Parliament or the Reich-Council as such. The powers of the Reich-President will remain intact.

Section 3

The laws for the Reich resolved upon by the Reich-Government are issued by the Reich-Chancellor and promulgated in the Reichsgesetzblatt. They will become effective, insofar as they don't determine otherwise on the day following their promulgation. Section 68 to 77 of the Reich-Constitution are not applicable to the laws resolved upon by the Reich-Government.

Section 4

Treaties of the Reich with foreign countries relating to matters of the legislation of the Reich do not require the approval of the bodies participating in the legislation. The Reich-Government issues the rules necessary for the execution of such treaties.

Section 5

This law will become effective on the day of its promulgation. It becomes ineffective on 1. April 1937. Moreover it becomes ineffective if the present

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Reich-Government should be replaced by another.

Berlin, 24 March 1933

The Reich-President
von Hindenburg

The Reich-Chancellor
Adolf Hitler

The Reich-Minister for the Interior
Frick

The Reich-Minister for Foreign Affairs
Freiherr von Neurath

The Reich-Minister for Finances
Count Schwerin von Krosigk

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2001-PS 12 November 1945

I, Fred Niebergall, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2001-PS

Fred Niebergall
2nd Lt.Inf.
0-1335567

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TRANSLATION OF DOCUMENT 2047-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1937 REICHSGESETZBLATT, PART I, PAGE 105

Law for the Extension of the Law Concerning the Removal of the Misery of the People and the Reich of 30 January 1937

Gesetz zur Verlängerung des Gesetzes Zur Behelunge der Not von Volk und Reich vom 30 Januar 1937

The Reichstag has decided unanimously to enact the following law which is hereby published:

Only Chapter

(1) The validity of the law for the removal of the misery of the people and the Reich of 24 March 1933 (RGBl I, p. 141) is being extended to 1 April 1941.

(2) The law on the reconstruction of the Reich of 30 January 1934 (RGBl p. 75) remains unchanged.

Berlin, 30 January 1937

The Fuehrer and Chancellor of the Reich
Adolf Hitler

The Reichs Minister of the Interior
Frick

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2047-PS

30 October 1945.

I, FRED NIEBERGALL, 2nd It., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2047-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
O-1335567.

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TRANSLATION OF DOCUMENT 2048-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1939 REICHSGESETZBLATT, PART I, PAGE 95

Law

for the extension of the law containing the removal of the misery of the people and the Reich of 30 January 1939

Gesetz

zur Verlängerung des Gesetzes zur Vehebung der Not von Volk und Reich vom 30 Januar 1939

In completion of the law of 30 January 1937 (RGBl. I, p. 105), the Reichstag has decided unanimously to enact the following law which is hereby published:

1. The validity of the law on the removal of the misery of the people and the Reich of 24 March 1933 (RGBl. I, p. 141) is being extended to 10 May 1943.

2. The law on the reconstruction of the Reich of 30 January 1934 (RGBl. I, p. 75) remains unchanged.

Berlin, 30 January 1939.

The Fuehrer and Chancellor of the Reich
Adolf Hitler

The Reichs Minister of the Interior
Frick

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2048-PS

31 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2048-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

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TRANSLATION OF DOCUMENT 2050-PS
Office of U.S. Chief of Counsel.

1919 REICHGESETZBLATT I, p. 383

THE CONSTITUTION OF THE GERMAN REICH
August 11, 1919

DIE VERFASSUNG DES DEUTSCHEN REICHS
VOM 11 AUGUST 1919

The German people, united in their racial elements and impelled by the will to renew and strengthen their Reich in freedom and justice, to serve the ends of peace at home and abroad and further social progress, have established this Constitution.

FIRST PART

STRUCTURE AND FUNCTION OF THE REICH

First Chapter

Reich and Lands.

Article 1.

The German Reich is a Republic. The state power is derived from the people.

Article 2.

The territory of the Reich consists of the territories of the German Member States(Lands). Other territories may be incorporated in the Reich by Reich statute if the inhabitants of such territory, in exercies of the right of self-determination so desire.

Article 3.

The Reich colors are black, red and gold. The merchant flag is black white and red, with the Reich colors in the upper inside corner.

Article 4.

The generally accepted rules of international law are to be considered as binding integral parts of the law of the German Reich.

Article 5.

The state power in respect to matters within the competence of the Reich shall be exercised by the authorities of the Reich on the basis of the Constitution of the Reich; in respect to matters within the competence of the Member States by the authorities of the Lands, on the basis of their respective constitutions.

Article 6.

The Reich shall have exclusive legislative competence for:

1) Foreign affairs(Beziehungen zum Ausland)

2) colonial matters.

3) questions relating to nationality, freedom of travel and residence (Freizügigkeit), immigration, emigration and extradition.

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Contd.

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4) the organization of defense forces.

5) coinage

6) customs, as well as the unity of customs and trading areas and freedom of commerce.

7) post and telegraph, including the telephone.

Article 7.

1) civil law

2) penal law

3) judicial procedure, including the execution of penalties and legal aid between authorities (Amtshilfe)

4) matters relating to passports and police supervision of aliens(Fremdenpolizei)

5) poor relief and the care of vagrants.

6) matters relating to thepress, associations and assemblies.

7) policies relating to population(Bevölkerungspolitik), maternity relief, welfare of infants, children and youth.

8) public health, veterinary matters and the protection of plants against disease and pests.

9) labor laws, insurance, and the protection of laborers and employees, and employment bureaus.

10) the establishment of Reich organs of vocational representation(Berufliche Vertretung)

11) provision for war veterans and the surviving dependents of deceased soldiers.

12) laws relating to expropriation.

13) the socialization of natural resources and economic undertakings, and also the production, manufacture, distribution and price regulation of economic wares for the benefit of the general economy.(Gemeinwirtschaft)

14) trade and commerce, weights and measures, the issue of paper money, banks and banking and the stock exchanges(Börsenwesen)

15) traffic in foodstuffs, articles for consumption and luxury, and necessaries of daily life.

16) industries and mining.

17) matters relating to insurance.

18) ocean navigation, deep-sea fishing and coastal fishing.

19) railways, inland navigation, automatice traffic on land, water, and in the air; the construction of highways, insofar as general communication and national defense are concerned.

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20) theaters and cinemas.

Article 8.

The Reich shall further legislate in regard to taxation and other revenues, insofar as they are partially or wholly utilized for its own purposes. If the Reich claims such taxes or other revenues for its own purposes as have hitherto been available for the Member States(Lands), the Reich shall taken into consideration the preservation of the life of the Member States.

Article 9.

Insofar as it is necessary to issue uniform rules, the Reich shall legislate for:

1) public welfare

2) the protection of public order and safety.

Article 10.

The Reich may by legislation, establish fundamental principles(Grundsätze) for:

1) the rights and duties of religious associations.

2) educational matters including high schools and scientific libraries.

3) laws relating to officers of all public corporations

4) matters relating to the real-estate laws, distribution of the soil, settlements and homesteads, restrictions attached to landed property, housing and the distribution of the population.

5) matters relating to burial

Article 11.

The Reich may be means of legislation establish fundamental principles concerning the admissibility and mode of:

1) injury to the revenues or commercial relations of the Reich

2) double taxation

3) excessive or obstructional fees for the use of public means of communication, highways, and other facilities.

4) tax discrimination against imported goods in favor of domestic products in inter-state or inter-district commerce, or

5) export premiums,

or in order to preserve important social interests.

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Article 12.

So long as and insofar as the Reich refrains from exercising the right of legislation, the Lands shall retain the right of legislation. This does not apply to matters for which the Reich has exclusive competence of legislation.

The government of the Reich has the right of veto in regard to Lands laws relating to matters within the scope of Article 7, Number 13, insofar as the general welfare of the Reich is thereby affected.

Article 13.

Reich law takes precedence over Lands law.

Where there are doubts or differances of opinion as to whether a legal provision of a Land is compatible with Reich law, the competent Reich or central authorities of a Land may, in accordance with particulars prescribed by the Reich law, appeal for decision to a Supreme Court of the Reich.

Article 14.

The laws enacted by the Lands shall be executed by the authorities of the States, unless the laws of theReich determine otherwise.

Article 15.

The government of the Reich exercises supervision in such matters as are within the legislative competence of the Reich.

Insofar as the laws of the Reich are to be executed by the authorities of the Lands, the government of the Reich may issue general instructions. The government is empowered to send commissioners to the central authorities of the Lands, and with their permission, to the lower state authoriites, to supervise the execution of the laws of the Reich.

It is the duty of the government of the Lands, at the request of the government of the Reich, to rectify defects which have become manifest in the execution of Reich laws. Where differences of opinion arise both the government of the Reich and the government of the Land may appeal for decision to the Constitutional Court (Staatsgerichtshof), unless a different court is prescribed by Reich law.

Article 16.

The officers entruste with direct Reich administration in any Land shall, as a rule, be citizens of that Land. The officers, employees and laborers of the Reich administration shall be employed in thier home districts if they so desire, whenever this is possible and not inconsistent with the requirements of their training or the service.

Article 17.

Each Land must have a republican constitution. The people's representatives must be elected by universal, equal, direct and secret ballot by all German men and women in conformity with the principles of proportional representation. The government of the Land must enjoy the confidence of the people's representatives.

The principles for the elections of the people's representatives apply equally to communal elections. A Land law, however,

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may make the right to vote dependent on residence in the communal district for a period not exceeding one year.

Article 18.

The division of the Reich into Lands shall be such as to serve the people to the highest possible economic and cultural attainment, whereby the will of the population affected shall betaken into consideration as far as possible. /The alteration of territory of the Lands and the creation of new Lands within the Reich may be effected by means of a Reich law amending the Constitution.

If the Lands directly affected give their consent, an ordinary Reich law is sufficient.

An ordinary Reich law is also sufficient, if one of the Lands affected refuses consent, but the territorial alteration or the creation of a new Land is demanded by the will of the population and the paramount interests of the Reich.

The will of the population shall be ascertained by plebiscite. The Government of the Reich orders the plebiscite if, in the territory to be separated, one-third of theinhabitants qualified to vote for the Reichstag so demand.

Three-fifths of the votes taken, but at least a majority of the enfranchised voters, are necessary for a resolution to alter a boundary or create a new Land. Even if it is only a question of the disconnection of a part of a Prussian administrative district (Regierungsbezirk), a Bavarian "county" (Kreis) or a corresponding administrative division in other Lands, the will of the population in the whole district affected must be ascertained. If the territory to Be disconnected nowhere adjoins the rest of the district, a specific Reich law may declare that the will of the population in the said district is sufficient.

The consent of the population having been ascertained, the government of the Reich shall introduce an appropriate bill for enactment in the Reichstag.

If the unification or disconnection should give rise to a dispute concerning the distribution of property, the Constitutional Court of the German Reich shall decide the same on the application of one party.

Article 19.

Constitutional disputes arising within any Land in which there is no court competent to settle the same, of disputes not governed by private law, arising between different Lands or between the Reich and any Land shall be decided by the Constitutional Courtof the German Reich on the application of one party, unless some other court of the Reich is competent to decide such dispute.

The President of the Reich executes the judgment of the Constitutional Court of the Reich.

Second Chapter

The Reichstag

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Contd.

Article 20.

The Reichstag is composed of the delegates of the German people.

Article 21.

The delegates represent the whole people. They are subject only to their own conscience and are not bound by instructions.

Article 22.

The delebates are elected by universal, equal, direct and secret ballot by men and women over twenty years of age, according to the principles of proportional representation. The election day must be a Sunday, or a public holiday.

The Reich Election Law will regulate details.

Article 23.

The Reichstag is elected for four years. New elections must take place at the latest on the sixtieth day after this term has run its course.

The Reichstag assembles for the first time at the latest on the thirtieth day following the election.

Article 24.

The Reichstag meets every year on the first Wednesday in November at the seat of the government of the Reich. The President of the Reichstag must summon it earlier if the President of the Reich or at least one-third of the members of the Reichstag so demand.

The Reichstag determines the close of its session(Tagung) and the date of reassembly.

Article 25.

The President of the Reich may dissolve the Reichstag, but not more than once for the same cause.

The new election takes place not later than the sixtieth day after dissolution.

Article 26

The Reichstag chooses its president, his substitutes and its Secretaries.. It sets up its own rules of procedure.

Article 27.

Between two sessions or terms(Wahlperioden) the President and his substitutes of the preceding session continue in their duties.

Article 28.

The President has domiciliary (Hausrecht) and police authority within the Reichstag building. He controls the house administration; he manages the revenues and expenditure of the house in accordance with the budget of the Reich, and represents the Reich in all legal transactions and disputes arising within his administration.

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Article 29.

The Reichstag proceedings are public. They may be held in camera, if, on the motion of fity members, a two-thirds majority so decides.

Article 30.

Accurate reports of the proceedings are of the public meetings of the Reichstag, the State Diets, and of their committees remain free from all responsibility.

Article 31.

An Election Investigation Court (Wahlprüfungsgericht) shall be established in connection with the Reichstag. It shall also be competent to decide whether a delegate has forfeited his seat.

The Election Investigation Court consists of members of the Reichstag, elected by the latter for the election period and of members of the Reich Court of Administration (Reichsverwaltungsgericht), appointed by the President of the Reich on the proposal of the presidency of the said court.

The decisions of the Election Investigation Court shall be taken after a public oral hearing by three members of the Reichstag and two judicial members.

Outside of the oral proceedings before the Election Investigation Court such affairs shall be managed by a commission of the Reich, nominated by the President of the Reich. In other respects the procedure is regulated by the Election Investigation Court.

Article 32. A simple majority vote is necessary for decisions of the Reichstag, unless the Constitution prescribes a different proportion of votes. The rules of procedure may make exceptions in the case of elections by the Reichstag.

The rules of procedure regulate the question of a quorum.

Article 33. The Reichstag and its committees may demand the presence of the Chancellor of the Reich and of any Minister of the Reich.

The Chancellor and Ministers of the Reich and the commissioners appointed by them have access to the sittings of the Reichstag and its committees. The Lands are entitled to send delegates to these meetings to state the views of their governments on the subject under discussion.

At their request the governmental delegates (Regierungsvertreter) must be heard during the deliberations, in the case of the representatives of the government of the Reich (Vertreter der Reichsregierung), even irrespective of the agenda.

They are subject to the authority of the chairman as regards questions of orders.

Article 34. The Reichstag has the right and--on the application of one-fifth of its members--the duty, of appointing investigation committees (Untersuchungsausschüsse). These committees hear such evidence in public sittings as they or the applicants consider necessary. The public may be excluded from the proceedings by a

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two-thirds majority of the investigation committee. The rules of procedure determine the proceedings of the committee and determine the number of its members.

It is the duty of the judicial and administrative authorities to accede to the requests of the said committees in regard to the taking of evidence; the files of the authorities must be submitted to the committees on request.

The provisions of the Code of Criminal Procedure (Strafprozessordnung) are applicable as far as is appropriate to the investigations of the committees and the authorities approached by them; nevertheless, the secrecy of letters, post, telegraph and telephone remains inviolate.

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Article 35.

The Reichstag appoints a standing committee for foreign affairs, which may also act when the Reichstag is in recess, and after the parliamentary term has expired, or after the dissolution of the Reichstag, until the new Reichstag meets. The meetings of this committee are not public, unless the committee decides otherwise by a two-thirds vote.

The Reichstag also appoints a standing committee for the maintenance of the rights of the people's representation towards the government of the Reich during the periods of recess, and after the term has expired or the Reichstag is dissolved, until the new Reichstag meets.

These committees have the rights of investigation committees.

Article 36.

No member of the Reichstag or of a Land's Diet may at any time be subjected to criminal or disciplinary prosecution or otherise held responsible outside the house on account of his vote or of remarks made by him in the execution of his functions.

Article 37.

During a session (Sitzungsperiode) no member of the Reichstag or of a Land's Diet may be subjected to investigation or arrested on account of any punishable offense, without the consent of the house to which such a delegate belongs, unless he is arrested in the act of committal or at the latest in the course of the following day.

Similar consent must be obtained for every other curtailment of personal freedom which hinders a delegate in the execution of his functions as representative.

Any criminal proceeding against a member of the Reichstag or a Land's Diet, any detention (Haft) or other curtailment of his personal liberty must be suspended for the duration of the session at the request of the house to which the delegate belongs.

Article 38.

Members of the Reichstag and the Land's Diets are entitled to refuse to give evidence in respect to persons who have confided matters to them in their capacity as delegates or to whom they have given such confidences in the execution of their functions as delegates, as well as in respect to such facts. In respect also to the seizure of documents they have the same status as persons who are entitled by law to refuse to give evidence.

Any search or seizure may only be carried out within the precincts of the Reichstag or a Land's Diet with the consent of their President.

Article 39.

Public officials (Beamte) and members of the defense forces need no leave for the performance of their functions as members of the Reichstag or a Land's Diet.

If they are candidates for a seat in one of these bodies, the necessary leave must be extended to them to enable them to prepare for their election.

Article 40.

Members of the Reichstag shall have free passes for all German railways and receive a compensation for expenses to be fixed by Reich law.

Third Chapter

The Reich President and the Reich Government

Article 41.

The Reich President is elected by the whole German people.

Every German who has completed his thirty-fifth year is eligible for election.

Details will be regulated by a Reich law.

Article 42.

The Reich President shall, on assuming office, take the following oath before the Reichstag.

I swear to devote my energies to the well-being of the German people, to further their interests, to protect them from injury, to keep the Constitution and the laws of the Reich, to fulfill my duties conscientiously and to administer justice to all.

It is permissable to add a religious asservation.

Article 43.

The Reich President's term of office shall last seven years. Reelection is permissable.

At the request of the Reichstag the President may be deposed from office by plebiscite before his term has expired. A two-thirds majority vote is necessary for such a resolution by the Reichstag.

The resolution has the effect of suspending the Reich President from the further exercise of his office. If the deposition is rejected by the plebiscite, this is regarded as a new election and entails the dissolution of the Reichstag.

The Reich President cannot be prosecuted criminally without the consent of the Reichstag.

Article 44.

The Reich President may not at the same time be a member of the Reichstag.

Article 45.

The Reich President represents the Reich in the sphere of international law. He concludes alliances and other treaties with foreign powers in the name of the Reich. He accredits and receives Ministers (Gesandte).

War is declared and peace concluded by Reich law.

Alliances and treaties with foreign States which relate to matters within the legislative competence of the Reich, require the consent of the Reichstag.

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Article 46.

The Reich President appoints and dismisses the public officials of the Reich and officers of the defense forces, unless otherwise provided by law. He may allow the right of appointment and dismissal to be exercised by other authorities.

Article 47.

The Reich President has supreme command (Oberbefehl) over all the defense forces of the Reich.

Article 48.

If a Land fails to fulfil the duties incumbent upon it according to the Constitution or the laws of the Reich, the Reich President can force it to do so with the help of the armed forces.

The Reich President may, if the public safety and order in the German Reich are considerably disturbed or endangered, take such measures as are necessary to restore public safety and order. If necessary he may intervene with the help of the armed forces. For this purpose he may temporarily suspend, either partially or wholly, the Fundamental Rights established in Articles 114, 115, 117, 118, 123, 124 and 153.

The Reich President shall inform the Reichstag without delay of all measures taken under Paragraph 1 or Paragraph 2 of this Article. On demand by the Reichstag the measures shall be repealed.

In case of imminent danger the government of any Land may take preliminary measures of the nature described in Paragraph 2 for its own territory. The measures are to be revoked upon the demand of the Reich President or the Reichstag.

Details will be regulated by a Reich law.

Article 49.

The Reich President exercises the right of pardon for the Reich.

Reich amnesties require a Reich law.

Article 50.

All orders and decrees (Anordnungen und Verfügungen) of the Reich President, including those concerning the defense forces, require for their validity the countersignature of the Chancellor of the Reich or the competent Minister of the Reich. By countersignature responsibility is assumed.

Article 51.

The Reich President shall, when prevented from functioning, be represented (vertreten) in the first place by the Reich Chancellor. When such disability is likely to be of long duration, a Reich law shall regulate the question of representation.

The same applies in the case of a premature termination of the Presidency until the new election takes place.

Article 52.

The government of the Reich shall consist of the Chancellor and the Reich Ministers.

Article 53.

The Reich Chancellor and at his proposal the Reich Ministers shall be appointed and dismissed by the Reich President.

Article 54.

The Chancellor and the Reich Ministers require for the exercise of their office the confidence of the Reichstag. Any of them must retire if the Reichstag by express resolution withdraws its confidence.

Article 55.

The Reich Chancellor presides over the government of the Reich and conducts its affairs according to rules of procedure laid down by the government of the Reich and approved by Reich President.

Article 56.

The Reich Chancellor determines the outlines (Richtlinien) of the policy of the State and is responsible to the Reichstag for the same. Within these outlines each Reich Minister conducts the office entrusted to him independently and on his own responsibility towards the Reichstag.

Article 57.

The Reich Ministers shall lay before the Reichstag for deliberation and enactment all bills and all matters for which such a course is prescribed in the Constitution or by law, as well as all differences of opinion in regard to questions within the competence of more than one Minister.

Article 58.

The government of the Reich passes its resolutions by majority vote. In the case of tie votes the chairman has a casting vote.

Article 59.

The Reichstag is entitled to impeach the Reich President, the Chancellor and Reich Ministers for having culpably violated the Constitution or a statute of the Reich before the Constitutional Court (Staatsgerichstshof). The motion for impeachment must be signed by at least one hundred members of the Reichstag and be approved by the majority prescribed for amending the Constitution.

Details will be regulated by the Reich statute concerning the Constitutional Court.

Fourth Chapter

The Reich Council

Article 60.

A Reich Council shall be constituted to represent the German Lands in the legislature and administration of the Reich.

Article 61.

Each Land has at least one vote in the Reich Council. In the case of larger Lands there shall be one vote for every 1,000,000 inhabitants. A surplus, which is equal to at least the population of the smallest land, will be reckoned equal to 1,000,000. No Land may be represented by more than two-fifths of the total number of votes.

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German-Austria, after its union with the German Reich, shall be entitled to participate in the Reich Council with the number of votes proportionate to its population. Until then the representatives of German-Austria may take part in the deliberations.

The number of votes shall be fixed anew by the Reich Council after every general census.

Article 62.

No Land shall have more than one vote on the committees formed by the Reich Council from its own members.

Article 63.

The Lands shall be represented on the Reich Council by members of their governments. But half the Prussian votes shall belong to the Prussian provincial administrations in accordance with a Land law.

The Lands are entitled to send as many representatives to the Reich Council as they have votes.

Article 64.

The government of the Reich must convene the Reich Council on the demand of one-third of its members.

Article 65.

A member of the government of the Reich shall preside over the Reich Council and its committees. The members of the government of the Reich have the right and--if so demanded--the duty of attending the deliberations of the Reich Council and its committees. On their own request they must during the proceedings at any time be heard.

Article 66.

The government of the Reich and each member of the Reich Council are entitled to lay proposals before the Reich Council.

The Reich Council regulates its procedure by rules of procedure (Geschäftsordnung).

The plenary sittings of the Reich Council are public. In compliance with the rules of procedure the public may be excluded for specific subjects of deliberation.

Decisions are taken by a simple majority of those voting.

Article 67.

The Reich Council shall be kept informed by the Reich ministries of the conduct of affairs of the Reich. The competent committees of the Reich Council shall be consulted by the ministries of the Reich with regard to important affairs.

Fifth Chapter

Reich Legislation

Article 68.

Bills are introduced by the government of the Reich or by members of the Reichstag.

Reich laws shall be enacted by the Reichstag.

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Article 69.

The introduction of bills by the government of the Reich requires the consent of the Reich Council. If no agreement is reached between the Reich government and the Reich Council, the Reich government may introduce the bill notwithstanding, but must state the contrary opinion of the Reich Council.

If the Reich Council resolves on a bill not assented to by the government of the Reich, the latter must introduce the bill to the Reichstag, stating its own point of view.

Article 70.

The Reich President shall promulgate (ausfertigen) all constitutionally enacted laws and proclaim them in the Reich's Legal Gazette (Reichsgesetzblatt) within one month.

Article 71.

Reich laws, unless they provide otherwise, come into force on the fourteenth day after the date on which the Reich's Legal Gazette is published in the capital of the Reich.

Article 72.

The proclamation of a Reich law shall be postponed for two months on the demand of one-third of the Reichstag. Laws stated to be urgent by the Reichstag and the Reich Council may be proclaimed by the Reich President notwithstanding such demand.

Article 73.

A law enacted by the Reichstag shall be made the subject of a referendum, if the Reich President so determines within a month.

A law, the proclamation of which has been postponed on the application of at least one-third of the members of the Reichstag, shall be subjected to a referendum, if one-twentieth of the persons qualified to vote so submit.

A referendum shall further be instituted if one-tenth of the persons qualified to vote initiate by petition the introduction of a bill. An elaborated bill must underlie such people's initiative. The bill shall be submitted to the Reichstag by the government together with a statement of its own point of view. No referendum shall take place if the petitional bill is passed unaltered by the Reichstag.

In regard to the budget, taxation laws and laws relating to pay and salaries, only the Reich President may inaugurate a referendum.

A Reich law shall regulate the procedure for referendum and initiative.

Article 74.

The Reich Council is entitled to raise an objection to laws passed by the Reichstag.

The objection must be submitted to the Reich government within two weeks following the final vote in the Reichstag and sustained by reasons at the latest within two further weeks.

When such objection has been raised, the law is again submitted to the Reichstag for redecision. If by this means no agreement is reached between the Reichstag and the Reich Council, the President may, within three months, order that a referendum be taken on the matter in dispute. If the President does not exercise this right, the law is considered not to have been passed.

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If the Reichstag has passed the law in spite of the objection by the Reich Council by a two-thirds majority, then the President must either proclaim the same within three months in the form approved by the Reichstag or order a referendum to be taken.

Article 75.

A referendum can nullify an enactment of the Reichstag only if a majority of those qualified to vote take part in the vote.

Article 76.

The Constitution may be amended by law. But acts of the Reichstag amending the Constitution can only take effect if two-thirds of the legal number of members are present and at least two-thirds of those present consent. Resolutions of the Reich Council also require a two-thirds majority of the votes taken, when an amendment to the Constitution is in question. If on a popular initiative an amendment to the Constitution is to be decided by referendum, the consent of a majority of those qualified to vote is required.

If the Reichstag has passed an amendment to the Constitution in spite of an objection on the part of the Reich Council, the President may not proclaim such law, if within two weeks the Reich Council demands a referendum.

Article 77.

Unless otherwise provided by law the Reich government shall issue the general administrative provisions (Verwaltungsvorschriften) necessary for putting into execution the laws of the Reich. The approval of the Reich Council is required when the execution of the Reich laws is within the competence of the authorities of the Lands.

Sixth Chapter

Reich Administration

Article 78.

The cultivation of the relations with foreign States is exclusively a function of the Reich.

With regard to matters the regulation of which is within the competence of the Lands' legislature, the Lands may conclude treaties with foreign States; such treaties require the approval of the Reich.

Agreements with foreign States relating to any alteration of the boundaries of the Reich are concluded by the Reich, after the consent of the Lands concerned has been obtained. Such boundary alterations may only be undertaken on the basis of a Reich law, unless it is simply a case of adjusting the boundaries of uninhabited districts.

All arrangements and measures necessary for safeguarding the interests of individual Lands arising out of their particular economic relations with or their proximity to foreign States shall be undertaken by the Reich in agreement with the Lands concerned.

Article 79.

The defense of the Reich is a function of the Reich. The defense organization of the German people shall be uniformly regulated by Reich law with due regard to special peculiarities of the inhabitants of the different Lands.

Article 80.

Colonial matters belong exclusively to the competence of the Reich.

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Article 81.

All German commercial vessels constitute one single merchant marine.

Article 82.

Germany constitutes one single customs and trading area surrounded by a customs frontier.

The customs frontier coincides with Germany's foreign frontier line. At the sea the shore of the mainland and of the islands belonging to the territory of the Reich form the customs boundary. Deviations may be ordered for the course of the boundary line along the sea and other waters.

Foreign territories or parts of territories may be joined to the customs area by means of international treaties or agreements.

Portions may be excluded from the customs area to meet particular necessities. In the case of free ports (Freihäfen) such exclusion can only be repealed by a law amending the Constitution.

Districts excluded from the customs area may be joined to a foreign customs area by means of international treaties or agreements.

All products of nature and industry and art which are freely traded within the Reich may be transported over the boundaries of the Lands and Communes into, out of, and through them. Exceptions may be allowed by Reich law.

Article 83.

Customs duties and consumption taxes are administered by the authorities of the Reich.

The authorities of the Reich, when administering taxes of the Reich (Reichsabgaben), shall take steps to enable the individual Lands to safeguard their own particular interests in regard to agriculture, trade, commerce and industry.

Article 84.

The Reich shall provide by law for:

1. the institution of a tax administration of the Lands, insofar as is necessary for the uniform and equal execution of the Reich taxation laws

2. the institution and powers of the authorities entrusted with the supervision of the execution of the Reich taxation laws

3. the accounting with the Lands

4. the reimbursement of the costs of administration in executing the Reich taxation laws.

Article 85.

All revenues and expenditure of the Reich must be estimated for every fiscal year and entered in the budget (Haushaltsplan).

The budget shall be passed by law before the beginning of the fiscal year.

Appropriations are as a rule made for one year; in special cases they may be granted for a longer period. Other provisions in the budget law which legislate for a period beyond the fiscal year, or which have no reference to the revenues or expenditure of the Reich, may not be incorporated in the budget law.

The Reichstag may not increase existing or incorporate new appropriations in the budget bill without the consent of the Reich Counci.

The consent of the Reich Council may be replaced as provided in Article 74.

Article 86.

The Reich Minister of Finance shall, in the course of the year, account to the Reich Council and the Reichstag for the expenditure of all the revenues of the Reich for the preceding year in order to release the government of the Reich from its responsibility. The auditing of this account shall be regulated by Reich law.

Article 87.

Funds may only be obtained by loans in the case of extraordinary requirements and, as a rule, only for the purpose of productive outlay. A Reich law is required for this method of procuring funds as well as for the creation of a charge on the Reich by way of security.

Article 88.

The post and telegraph as well as the whole telephone system are exclusive functions of the Reich.

Postage stamps are uniform for the whole Reich.

Treaties relating to communications with foreign countries may only be concluded by the Reich.

Article 89.

It is a function of the Reich to take over the ownership of railways serving as means of general traffic and to operate them as a uniform system of communications.

The rights of the Lands to acquire private railways shall be transferred to the Reich on demand.

Article 90.

With the transfer of the railways the Reich acquires the right of expropriation and the sovereign state rights (die Staatlichen Hoheitsrechte) of the Lands over the railway systems. The extent of these rights shall be decided in the case of conflict by the Constitutional Court.

Article 91.

With the approval of the Reich Council the government of the Reich shall issue all decrees relating to the construction of railways, their operation and traffic. With the consent of the Reich Council the government may transfer this right to the competent Reich Minister.

Article 92.

The railways of the Reich, although their budget and accounts are incorporated in the general budget and accounts of the Reich, shall be operated as an independent economic enterprise, with the duty of defraying its own expenditure including interest on and amortization of the railway reserve fund. The amount of the amortization and the reserve fund, and the purposes for which the latter is to be utilized shall be regulated by an especial law.

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Article 93.

The government of the Reich with the consent of the Reich Council shall establish advisory councils for the railways of the Reich to assist in an advisory capacity in matters relating to railway traffic and rates.

Article 94.

Once the Reich has taken over the administration of the railroads serving the general traffic of a particular district, new railroads serving general traffic may not be constructed within such district except by or with the consent of the Reich. When new railroad systems or alterations in those already existing are so projected as to fall within the police competence of any Land, the Reich railroad administration shall consult the Land authorities before the decision is taken.

Whenever the Reich has not yet taken over the administration of the railroads, it may construct such railroads on its own account as are deemed necessary for general traffic or for national defense by virtue of a Reich law, even against the protest of the Lands whose territory is to be traversed, but without prejudice to the sovereign rights (Landeshoheitsrechte) of the Lands; or the Reich may entrust another with the execution of such construction, together with the right of expropriation, if necessary.

All railroad administrations must permit the junction of other lines at the latter's expense.

Article 95.

Railways of general traffic not administered by the Reich shall be supervised by the Reich.

Railways under the supervision of the Reich shall be constructed and equipped according to uniform principles determined by the Reich. They must be kept in safe working order and developed as traffic requirements dictate. Service and equipment for passenger and freight traffic shall be maintained in accordance with their requirements.

The supervision of railway rates shall be directed to securing non-discriminatory and moderate charges.

Article 96.

All railways, including those not serving as means of general traffic, must comply with any demands of the Reich for their utilization for the purpose of national defense.

Article 97.

It is the duty of the Reich to take over the ownership and administration of waterways serving the general traffic.

After they have been taken over, waterways serving the general traffic may only be constructed or developed by the Reich or with its consent.

In the administration, development or construction of waterways, the requirements of land and water economy must be safeguarded in agreement with the Lands. Their improvement shall also be taken into consideration.

Every adminstration of waterways must permit the connection of their own with other inland waterways at the expense of the promoter. The same obligation holds for the construction of a connection between inland waterways and railways.

With the transfer of waterways the Reich acquires the right of expropriation, the control of rates and the police survey over the waterways and navigation.

The duties of the river conservancies in respect to the development of the natural waterways in the Rhine, Weser, and Elbe districts shall be taken over by the Reich.

Article 98.

Advisory councils to cooperate in matters concerning Reich waterways shall be formed in compliance with detailed provisions to be issued by the Reich government with the approval of the Reich Council.

Article 99.

On natural waterways charges (Abgaben) may only be collected for such works, plants and other institutions as are designed to facilitate traffic. In the case of Lands and communal institutions they may not exceed the necessary costs, for construction and upkeep. The construction and maintenance costs of institutions not exclusively devoted to the facilitation of traffic but also destined for the furtherance of other purposes, may only be raised in a proportionate degree by shipping charges. Interest and sinking funds on the invested capital are included as costs of construction.

The provisions of the foregoing paragraph apply also to charges collected for artificial waterways and to works erected thereon and in harbors.

Within the sphere of inland navigation the entire cost of a waterway, a river basin or a system of waterways may be utilized for calculating the shipping charges.

These provisions apply equally to the floating of timber (Flösserei) on navigable waterways.

It is within the exclusive competence of the Reich to exact from foreign ships and their cargoes other or higher charges than from German ships and their cargoes.

Article 100.

In order to cover the cost of the maintenance and construction of inland navigation routes, contributions may also by levied by virtue of a Reich law from persons enjoying benefits from the construction of dams in other ways than by navigation, if more than one Land is involved, or the Reich bears the costs of construction.

Article 101.

It is the duty of the Reich to take over the ownership and administration of all marine signal stations, particularly lighthouses, lightships, buoys, floats, and beacons. After the Reich has taken them over marine signal stations may only be constructed or developed by the Reich or with its consent.

Seventh Chapter

The Judiciary (Rechtspflege)

Article 102.

Judges are independent and subject only to the law.

Article 103.

The ordinary judiciary (Ordentliche Gerichtsbarkeit) consists of the Reich Supreme Court (Reichsgericht) and the courts of the Lands.

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Article 104.

The judges of the ordinary judiciary are appointed for life. Against their will they may only be permanently or temporarily suspended from office or transferred to another position or retired by virtue of a judicial decision and only for the reasons and in the form prescribed by law. The legislature may fix an age limit, on reaching which judges shall retire.

A temporary suspension from office as provided by law is not affected hereby.

If a change is effected in the organization of the courts or their districts the judicial administrative authorities of the Lands may order involuntary transfers to another court of removal from office, but only on full pay.

These provisions do not apply to commercial judges (Handelsrichter), lay judges (Schöffen), and jurors (Geschworenen).

Article 105.

Exceptional courts are prohibited. No one may be deprived of the right to be heard by his legally prescribed judge (Gesetzlicher Richter). The legal provisions concerning military courts and courts martial (Standgerichte) are not affected hereby. Military courts of honor are abolished.

Article 106.

Military jurisdiction shall be abolished except in time of war and on men-of-war. Details shall be regulated by a Reich law.

Article 107.

Both in the Reich and in the Lands administrative courts shall be established under the laws for the protection of individuals against decrees and orders of the administrative authorities.

Article 108.

A Constitutional Court shall be established for the German Reich in accordance with a Reich law.

SECOND PART

FUNDAMENTAL RIGHTS AND DUTIES OF THE GERMANS

First Chapter

The Individual Person

Article 109.

All Germans are equal before the law.

In principle men and women have the same civil rights and duties.

Public-legal privileges or disadvantages of birth or of rank are to be abolished.

Titles of nobility shall be regarded merely as part of the name, and may no longer be bestowed.

Titles may only be bestowed when they indicate an office or profession; academic degrees are not affected hereby.

Orders and decorations may not be conferred by the State.

No German may accept titles or orders from a foreign government.

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Article 110.

Citizenship of the Reich and the Lands is acquired and lost in accordance with the provisions of a Reich law. Every citizen of a Land is at the same time a citizen of the Reich.

Every German has in every Land of the Reich the same rights and duties as the citizens of that Land.

Article 111.

All Germans enjoy liberty of travel and residence throughout the whole Reich. Everyone has the right (Freizügigkeit) to sojourn and settle in any place within the Reich, to acquire real estate and to pursue any means of livelihood. Restrictions require a Reich law.

Article 112.

Every German is permitted to emigrate to a foreign country. Emigration may only be restricted by a Reich law.

All citizens of the Reich within and without the territory of the Reich are entitled to the protection of the Reich in relation to foreign countries.

No German may be surrendered to a foreign government for prosecution or punishment.

Article 113.

No laws or administrative orders may prejudice in their free and characteristic development the elements of the population of the Reich whose mother tongue is other than German, especially in regard to the use of their mother tongue in schools, in matters of internal administration, and the administration of justice.

Article 114.

The freedom of the person is inviolable. Curtailment or deprivation of personal freedom by a public authority is only permissible on a legal basis.

Persons who have been deprived of their freedom must be informed at the latest on the following day by whose authority and for what reasons the deprivation of freedom was ordered; opportunity shall be afforded them without delay of submitting objections to their deprivation of freedom.

Article 115.

Every German's home is his sanctuary and is inviolable. Exceptions may only be made as provided by law.

Article 116.

An act can only be punishable if its penalty was fixed by law before the act was committed.

Article 117.

The secrecy of letters and all postal, telegraphic and telephone communications is inviolable. Exceptions are inadmissable except by Reich law.

Article 118.

Every German has the right, within the limits of the general laws, to express his opinions freely in speech, in writing, in print, in picture form or in any other way. No conditions of work or employment may detract from this right and no disadvantage may accrue to him from any person for making use of this right.

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Censorship is forbidden, but in the case of moving pictures deviations from this rule may be established by law. Legal provisions are also admissable for combating pornography and obscene publications (Schund und Schmutz Literatur) and for the protection of young persons at public plays and entertainment.

Second Chapter

The General Welfare (Gemeinschaftsleben)

Article 119.

Marriage as the cornerstone of family life and the preservation and increase of the nation is placed under the special protection of the Constitution. It is based on the equal rights of both sexes.

It is the duty of the State and the Communes to foster the purity, health, and social advancement of the family. Families with numerous childred have a claim to proportionate assistance.

Motherhood has a claim to the protection and care of the State.

Article 120.

To provide their children with a thorough physical, spiritual, and social education is the supreme duty and natural right of parents, whose activities shall be supervised by the State.

Article 121.

The same conditions shall be created by law for the physical, spiritual and social development of illegitimate as for legitimate children.

Article 122.

Youth shall be protected against exploitation and also against neglect of their moral, mental or physical well-being. The States and Communes shall make the necessary arrangements.

Compulsory measures for their welfare may only be ordered on the basis of law.

Article 123.

All Germans have the right to assemble peacefully and unarmed without giving notice and without special permission.

A Reich law may make previous notification obligatory for assemblies in the open air, and may prohibit them in the case of immediate danger to the public safety.

Article 124.

All the Germans have the right to form associations or societies for purposes not contrary to criminal law. This right may not be curtailed by preventive measures. The same provisions apply to religious associations and societies.

Every association may become incorporated (Erwerb der Rechtsfähigkeit) according to the provisions of the civil law. The right may not be refused to any association on the grounds that its aims are political, social-political or religious.

Article 125.

The liberty and secrecy of the vote is guaranteed. Details shall be regulated by election laws.

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Article 126.

Every German has the right to address requests or complaints in writing to the competent authorities or to the people's representatives. This right may be exercised individually or by several persons collectively.

Article 127.

Communes and communal unions have the right of self-administration (Selbstverwaltung) within the limits of the law.

Article 128.

All citizens without distinction shall be eligible for public office in accordance with the laws and according to their capabilities and achievements.

All provisions discriminating against women are abolished.

The principles governing the legal status of the public officials shall be regulated by Reich law.

Article 129.

Public officials shall be appointed for life, unless otherwise provided by law. Pensions for retired officials or the surviving dependents of deceased officials shall be regulated by law. The vested rights (Wohlerworbene Rechte) of public officials are inviolable. Legal steps may be taken by public officials for pecuniary claims.

Public officials may be only temporarily suspended from office, temporarily or permanently relieved or transferred to a different office with a lower salary on the conditions and in the form provided by law.

In every case where a disciplinary sentence is pronounced the way must be open for appeal and a new trial. Entries unfavorable to a public official may not be made in his official record until opportunity has been afforded him of expressing his own view of the facts. Public officials shall be permitted to inspect their official records.

The inviolability of vested rights and the competence of the civil courts to adjudicate pecuniary claims are also assured particularly to the regular soldiers (Berufssoldaten). In other respects their position shall be regulated by Reich law.

Article 130.

Public officials are servants of the whole community, and not of a party.

Liberty of political opinion and freedom to form associations is guaranteed to all public officials.

A Reich law shall provide in detail for the special representation of public officials.

Article 131.

If a public official in the execution of the official authority vested in him transgresses his official duty towards a third person, the State or the public body in whose service the officer is, is in principle held responsible. The right of recovery from the officer is reserved. Recourse to the ordinary civil courts may not be excluded.

Details shall be regulated by the competent legislature.

Article 132.

It is the duty of every German to accept honorary offices in accordance with the laws.

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Article 133.

It is the duty of all citizens to render personal services to the State and the Commune in accordance with the laws.

The duty of military service (Wehrpflicht) is determined by the provisions of the Reich Defense Law. This shall also stipulate how far single Fundamental Rights of the Constitution shall be restricted in respect to members of the defense forces, in the interest of the fulfilment of their tasks and the maintenance of discipline.

Article 134.

All citizens without distinction contribute to all public burdens in proportion to their means and in accordance with the laws.

Third Chapter

Religion and Religious Associations

Article 135.

All inhabitants of the Reich enjoy full religious and conscientious freedom. The undisturbed exercise of religion is guaranteed by the Constitution and is under state protection. The general state laws are unaffected hereby.

Article 136.

Civil and civic rights and duties are neither contingent upon nor limited by the exercise of religious freedom.

The enjoyment of divil and civic rights and the eligibility for public office are independent of religious belief.

Nobody is obliged to reveal his religious conviction. The authorities are only entitled to ask questions concerning adherence to a religious body insofar as rights and duties are dependent thereon or in pursuance of statistical inquiries prescribed by law.

No one may be compelled to attend any church service or ceremony or to participate in religious exercises, or to take oath in religious form.

Article 137.

There is no State Church.

Freedom to form religious societies is guaranteed. The combination of religious societies within the territory of the Reich is subject to no restrictions.

Every religious society regulates and administers its affairs independently, within the limits of the law, applicable to all. It appoints its officers without the cooperation of the State or the civil community.

Religious societies become incorporated (Erwerben die Rechtsfähigkeit), in accordance with the general provisions of civil law.

Religious societies remain bodies of public law (Körperschaften des öffentlichen Rechts) of this has been their status hitherto. Similar rights shall be granted to other religious societies on their application, if their constitution and the number of their members offer a guarantee of permanency. If several such religious societies as are public bodies unite, this union is also a public body.

Such religious societies as are public bodies are entitled to levy taxes on the basis of the civil tax-roll in accordance with the laws of the respective Lands.

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Associations devoted to the common cultivation of a philosophy of life (Waltanschauung) are placed on the same footing as religious societies.

Insofar as the execution of these provisions requires more detailed regulation, this is within the competence of the Lands' legislatures.

Article 138.

State contributions to religious societies based on laws, contract or special legal titles shall be commuted by Lands legislation. The Reich shall establish the principles therefor.

Property and other rights of religious societies and associations in their institutions, foundations, and other properties for cultural, educational, and charitable purposes are guaranteed.

Article 139.

Sundays and public holidays recognized by the State remain under legal protection as days of rest and spiritual edification.

Article 140.

Members of the defense forces shall be allowed the necessary free time for performing their religious duties.

Article 141.

Insofar as there is need for divine service and spiritual consolation in the army, in hospitals, prisons or other public institutions, the religious societies shall be permitted to perform the religious offices, but all compulsion shall be avoided.

Fourth Chapter

Education and the Schools

Article 142.

Art and science and the teaching thereof are free. The State guarantees them protection and takes part in their cultivation.

Article 143.

The education of young persons shall be provided for by means of public institutions. The Reich, Lands and Communes shall cooperate in their establishment.

The training of teachers shall be regulated uniformly for the whole Reich according to the generally recognized principles of higher education.

Teachers in public schools have the rights and duties of state officials.

Article 144.

The whole school system is under the supervision of the State, which may cause the Communes to participate therein. The supervision of schools is exercised by trained expert officials as their occupation-in-chief.

Article 145.

Attendance at school is universily obligatory.

In principle this duty is fulfilled by attending an elementary school for at least eight school years and a connected continuation school (Fortbildungschule) until the completion of the eighteenth year. Instruction and school supplies are supplied free of charge in the elementary and continuation schools.

Article 146.

The system of public schools shall be organically developed. The intermediate and secondary school system shall built upon the basis of common elementary schools. This system shall be determined by the needs of all kinds of vocations, and for the reception of a child into a particular school, his abilities and inclination shall be the deciding factor, not the economic and social status or the religious confession of his parents.

Within the Communes, however, on the petetion of parents and guardians, popular schools professing their own faith or philosophy of life shall be established, insofar as this does not interfere with an organized school system in the sense, also, of Paragraph 1, supra. As far as possible the will of parents and guardians shall be taken into consideration. Details shall be regulated by Lands legislation based on principles prescribed by a Reich law.

Public funds shall be provided by the Reich, Lands and Communes to make the intermediate and secondary schools available for those possessed of restricted means; in particular shall there be educational grants for the parents for the parents of children looked upon as suitable subjects for instruction in intermediate and secondary schools until their schooling is completed.

Article 147.

Private schools as substitutes for public schools require the approval of the State and are subject to the laws of the Lands. Approval shall be granted when the private schools are not inferior to the public schools as regards their instructional aims and equipment and the scientific training of the teachers, and a separation of the pupils according to the wealth of their parents is not encouraged. The approval shall be refused if the economic and legal position of the teachers is not sufficiently assured.

Private elementary schools shall only be admitted when for those parents or guardians whose wishes are to be regarded under Article 146, Paragraph 2, no public elementary school of their faith or philosophical persuasion exists in their Commune, or if the educational administrative authorities recognize the existence of a particular educational need.

Private preparatory schools shall be abolished.

The existing law shall continue to apply to private schools not serving as substitutes for public schools.

Article 148.

In all schools moral training, a sense of civic responsibility, personal and vocational efficiency in a spirit of national German feeling and international conciliation shall be aimed at.

Care shall be taken that instruction in public schools shall not hurt the feelings of those who differ in opinion.

Civics and manual training form part of the school curriculum. On completing his obligatory schooling every pupil shall receive a copy of the Constitution.

Popular education including popular universities shall be developed by the Reich, Lands and Communes.

Article 149.

Religious instruction forms part of the ordinary school curriculum except in the non-confessional (secular) schools; its form will be regulated by the laws relating to schools. Religious instruction shall be given in conformity with the principles of the religious society concerned, without prejudice to the State's right of supervision.

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The imparting of religious instruction and the performance of religious acts is left to the decision of the teacher, while the participation in religious lessons, acts, and ceremonies is a matter for the decision of those who have the right to determine the religious education of the child.

The theological faculties in the universities shall be maintained.

Article 150.

Artistic, historical, and natural monuments and scenery enjoy the protection and care of the State.

It is a function of the Reich to prevent German art treasures from passing to foreign countries.

Fifth Chapter

The Economic Life

Article 151.

The regulation of economic life must be compatible with the principles of justice, aiming at the attainment of humane conditions of existence for all. Within these limits the economic liberty of the individual shall be assured.

Legal compulsion is only admissible for the realization of threatened rights or in the service of preponderant requirements of the common welfare.

Freedom of trade and commerce is guaranteed on the basis of the Reich laws.

Article 152.

As far as the laws allow, there shall be freedom of contract in business intercourse. Usury (Wucher) is prohibited. Legal transactions contra bonos mores are invalid.

Article 153.

Property is guaranteed by the Constitution. Its content and limits are defined by the laws.

Expropriation can only take place for the public benefit and on a legal basis. Adequate compensation shall be granted, unless a Reich law orders otherwise. In the case of dispute concerning the amount of compensation, it shall be possible to submit the matter to the ordinary civil courts, unless Reich laws determine otherwise. Compensation must be paid if the Reich expropriates property belonging to the Lands, Communes, or public utility associations.

Property carries obligations. Its use shall also serve the common good.

Article 154.

The right of inheritance is guaranteed according to the civil code.

The share of the State in inherited property is determined by the laws.

Article 155.

The distribution and utilization of the land shall be supervised by state authorities in a manner to prevent abuse and with the object of ensuring a healthy dwelling to every German and to all German families, especially those with numerous children, living and working quarters in accordance with their needs. War veterans shall be particularly considered in the enactment of homestead laws.

Real estate, the acquisition of which is necessary for housing purposes, for the promotion of settlements and land cultivation or to improve agriculture, may be expropriated. All entails (Fideikommisse) shall be dissolved.

The cultivation and utilization of the soil is a duty owed by the landowner to the community. An increase in the value of land, which arises without the expenditure of work or capital on the property, shall be utilized for the common benefit.

All treasures of the soil and all natural forces of economic utility are under the supervision of the State. Private mining rights (Regale) shall be transferred to the State by legislation.

Article 156.

The Reich may, without prejudice to the right of compensation, by law transfer to public ownership private economic enterprises suitable for socialization, applying thereby analogously the regulations relating to expropriation. The Reich may allot to itself, the Lands or the Communes a share in the administration of economic enterprises and associations or secure to itself a controlling influence therein in some other way.

The Reich may also in case of urgent necessity for socioeconomic interests, by law effect a combination of economic enterprises and associations on the basis of self-administration with the object of securing the cooperation of all working elements of the population, of allowing employers and employees a share in the management and regulating the production, fabrication, distribution, utilization, price fixing, and the importation and exportation of economic goods according to the principles of national economy.

The cooperative industrial and economic associations and their unions (Erwerbs- und Wirtschaftsgenossenschaften) shall at their request be incorporated in the socialized economic system, their constitution and peculiarities being thereby taken into consideration.

Article 157.

The ability to work is under the special protection of the Reich.

The Reich shall create a uniform labor law.

Article 158.

Intellectual labor, the rights of the author, the inventor, and the artist enjoy the protection and care of the Reich.

Recognition and protection in foreign countries also shall be secured to German science, art and technic by means of international agreements.

Article 159.

Freedom of association for the preservation and promotion of labor and economic conditions is assured to everyone and to all vocations. All agreements and measures attempting to restrict or restrain such freedom, are unlawful.

Article 160.

Persons working as employees or laborers are entitled to the leave necessary for the exercise of their civic rights and, insofar as the enterprise is not materially damaged thereby, for performing the duties attached to public honorary offices entrusted to them. The law shall determine to what extent they retain their right to remuneration.

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Article 161.

For the maintenance of health and capacity to work, for the protection of maternity, and for provision against the economic consequences of age, infirmity, and the vicissitudes of life, the Reich shall organize a comprehensive system of insurance, in which the insured persons shall cooperate to a considerable extent.

Article 162.

The Reich shall endeavor to obtain an interstate regulation of the legal status of laborers which shall have as its object the establishment of a general minimum standard of social rights for all working classes of mankind.

Article 163.

Every German has, without prejudice to his personal liberty, the moral duty to utilize his intellectual and physical powers in the interest of the general welfare.

The opportunity of earning his living by economic work shall be afforded to every German. Insofar as suitable work cannot be found for him, he shall be provided with the necessary support. Details shall be regulated by special Reich laws.

Article 164.

The interests of the independent middle classes in agriculture, industry and commerce shall be promoted by legislation and administration and protected from oppression and absorption.

Article 165.

Laborers and employees are called upon to take part on equal terms and together with the employers in regulating conditions of work and wages and also in the general economic development of productive forces. The organizations on both sides and agreements between them shall be recognized.

Laborers and employees shall be legally represented on the Workmen's Councils of the Enterprise, as well as in the District Workmen's Councils (Bezirksarbeiterräten) organized for each economic area and on a Reich Workmen's Council (Reichsarbeiter Rat).

The District Workmen's Councils and the Reich Workmen's Council shall combine with the representatives of the employees and other interested elements of the population to form District Economic Councils (Bezirkswirtschaftsräte) and a Reich Economic Council (Reichswirtschaftsrat) for the purpose of performing all economic tasks and of cooperating in carrying out the socialization laws. The District Economic Councils and the Reich Economic Council shall be so constituted that all important vocational groups are represented thereon in accordance with their economic and social importance.

Social-political and political-economic bills of basic importance shall be submitted to the opinion of the Reich Economic Council by the government of the Reich before being introduced. The Reich Economic Council has itself the right to propose the introduction of such bills. If the government of the Reich does not approve them, it must nevertheless introduce such bills to the Reichstag, stating its own point of view. The Reich Economic Council may have the bill supported in the Reichstag by one of its own members.

Supervision and administrative powers may be conferred on the Workmen's and the Economic Councils within their own spheres of work.

The regulation of the organization and tasks of the Workmen's and the Economic Councils as well as their relation to other social self-governing bodies is exclusively a function of the Reich.

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Transitional and Concluding Provisions

Article 166.

Until the establishment of the Reich Administrative Court (Reichsverwaltungsgericht) the Reich Supreme Court shall take its place in the formation of the Election Investigation Court (Wahlprüfungsgericht).

Article 167.

Article 18, sect. 3 to 6 are valid 2 years after announcement of the Reichs Constitution.

Article 168.

Until, - but only for a year - the Landlaw, considered in Article 63 is issued, all prussian votes in the Reichsrat can be given by the members of the Cabinet.

Article 169.

The Reichs Cabinet, will set the date, when Article 83, sect. 1, becomes valid.

Article 170.

The postal - and telegraph agencies of Bavaria and Würtenberg, will be taken over by the Reich on 1 April 1921 the latest.

If, on 1 Oct 1920, no agreement on the points of the taking over has been reached, the supreme constitutional court will decide.

Until the taking over, the present rights and duties of Bavaria and Würtenberg are in force. The postal amd telegraph traffic with neighboring states of foreign countries, will be regulated by the Reich.

Article 171.

The State Railroads, Waterways and sea-marks (Seezeichen) will be taken over by the Reich on April 1, 1921, the latest.

If on 1 Oct 1920 no agreement on the points of the taking over, has been reached, the Supreme Constitutional Court will decide.

Article 172.

Until the Reich law concerning the Supreme Constitutional Court comes into force, a Senate shall exercise its powers; this Senate shall consist of seven members of which four are chosen by the Reichstag from its own members and three by the Supreme Court of the Reich from its own members. The Senate shall regulate its own procedure.

Article 173.

Until the enactment of a Reich law according to Article 138 the present state contributions to religious societies based on laws, contracts or special legal claims shall be continued.

Article 174.

Until the enactment of the Reich law provided in Article 146, Paragraph 2, the present legal situation shall continue. The law shall take into particular consideration those districts of the Reich in which a school where no distinction of creeds is made is established by law.

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Article 175.

The provision of Article 109 does not apply to orders and decorations to be conferred for merit in the war years 1914-1919.

Article 176.

All public officers and members of the defense forces shall take the oath upon the Constitution. Details shall be regulated by an order of the Reich President.

Article 177.

Where in the existing laws the oath is prescribed in religious form, the oath shall be legally binding if the person taking the same, leaving out the religious formula, declares: "I swear." The content of the oath as prescribed in the laws remains otherwise unaltered.

Article 178.

The Constitution of the German Reich of April 16, 1871, and the laws of February 10, 1918, concerning the provisional government of the Reich, are repealed.

All other laws and orders of the Reich remain in force, insofar as this Constitution is not incompatible with them. The provisions of the Peace Treaty signed at Versailles on June 28, 1919, are not affected by the Constitution. With respect to the negotiations concerning the acquisition of the island of Helgoland a regulation in favor of its inhabitants may be made differing from that of Article 117, Paragraph 2.

Orders by the authorities which have been legally issued in conformity with the present laws, retain their validity until they are repealed by new orders of legislation.

Article 179.

Insofar as laws or orders refer to provisions and institutions which are repealed by this Constitution, the appropriate provisions and institutions of this Constitution shall take their place. In particular, the Reichstag shall take the place of the National Assembly, the Reich Council that of the State Committee (Staatenausschuss), the Reich President elected on the basis of this Constitution that of the Reich President elected on the basis of the law concerning the provisional government of the Reich.

The power, hitherto pertaining to the State Committee, of issuing executive orders is transferred to the government of the Reich, which requires therefor the approbation of the Reich Council in accordance with this Constitution.

Article 180.

Until the meeting of the first Reichstag the National Assembly shall function as Reichstag. The President of the Reich chosen by the National Assembly shall retain his office till 30 June 1925.

Article 181.

The German people have passed and adopted this Constitution by means of their National Assembly. It comes into force with the date of its proclamation.

Schwarzburg, 11 August 1919.

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The Reich President

EBERT

The Reich Cabinet

BAUER

ERZBERGER HERMANN MÜLLER DR. DAVID NOSKE SCHMIDT
SCHLICKE GIESBERTS DR. MAYER DR. BELL

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2050-PS

24 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2050-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

H1098 - 0069

TRANSLATION OF DOCUMENT 2058-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 462.

Decree for the securing of the State Leadership
of 7 July 1933

Verordnung zur Sicherung der Staatsführung
vom 7 Juli 1933

Based on paragraph 18 of the provisional law about the co-ordination of the states (Länder) with the Reich of 31 March 1933 (Reichsgesetzblatt I, Page 183), I decree:

The Reichstag and houses of delegates of the states

Article 1

The distribution of seats, according to the electoral suggestion of the Social Democratic Party, for the Reichstag and the provincial diets (citizen's committees (Bürgerschaften)), based on the election results of 5 March 1933 or on the results of the co-ordination action, according to Article 4, Section 2 of the provisional law for the co-ordination of the states with the Reich of 31 July 1933, in void. An alternate distribution will not take place.

Community self-administrative bodies

Article 2

The distribution of seats, according to the elective suggestion of the Social Democratic Party, for the community self-administrative bodies (county diets, district diets, district councils, council of officials, city councils, city councils of representatives, community councils, etc.) (Kreistage, Bezirkstage, Bezirksräte, Amtsversammlungen, Stadträte, Stadtverodnetenversammlungen, Gemeinderäte usw.) in Prussia based on the results of the election of 12 March 1933, in the other German states based on the results of the co-ordination action according to article 12, Section 2 of the provisional law for the co-ordination of the states with the Reich of 31 March 1933 is void.

Article 3

In as much as it may be necessary for the maintenance of a self-administration of the community to fill the seats whose distribution has been nullified, the state supervisory authority can fill these seats again according to the will of the people after the conquering of the republic (Parteienstaat).

Article 4

The members of the community self-administrative bodies will be appointed by the state supervisory authority according to the will of the people after the conquering of the republic in the following additional cases.

1.) if a community body of representatives is dissolved, by the state supervisory authority, or if their election or co-ordination has been declared void in the examination of the election,

2.) if a community or an association of communities is newly formed by way of organization,

3.) if a regular filling of the community body of representatives is not possible, because, according to the elections, a sufficient number of acceptable alternates is no longer available;

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4.) if in Prussia, a new election of the community body of representatives has not taken place on 12 March 1933.

Civic honorary positions

Article 5

(1) The elections of honorary members of national administrative c+ resolution authorities, committees and of bearers of national, individual honorary positions, who themselves belong to the Social Democratic Party, or who were elected because of the electoral suggestion of representatives of the Social Democratic Party, are void.

(2) The same applies to the election of honorary chairmen or members of boards of direction of communities and association of communities, deputations, commissions, community councils, as well as bearers of honorary individual positions, who are themselves members of the Social Democratic Party, or who have been elected by bodies of representatives or other organs, entitled to vote, of the community or of the community associations based on electoral suggestion, which have been submitted by the representatives of the Social Democratic Party.

(3) In as much as it is necessary for the maintenance of the national administration or of the community self-administration to fill civic honorary positions, the election of which are void (Section 1 and 2), the alternates will be appointed by the state supervisory authority or by its deputized officials according to the will of the people after the conquering of the republic.

Berlin, 7 July 1933.

The Reich Minister of the Interior
Frick.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2058-PS

31 October 1945.

I, WILLARD EVANS SKIDMORE, LT(jg)USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2058-PS.

WILLARD EVANS SKIDMORE,
LT (jg), USNR,
291590.

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TRANSLATION OF DOCUMENT NO. 2059-PS
OFFICE OF US CHIEF OF COUNSEL

Full translation of 2059-PS from: Reichsgesetzblatt, 1933, pt. I, p. 134, decree of 21 March 1933 to paragraph 5, inclusive.

Decree of the Reich-President relating to the granting of amnesty.

of 21 March 1933

Pursuant to Section 48, subsection 2 of the Constitution of the Reich the following is ordered:

Section 1.

Amnesty is granted for penal acts committed in the national revolution of the German People, in its preparation or in the fight for the German soil pursuant to the following provisions:

Section 2

Penalties imposed by final judgment at the time this law becomes effective and which have not yet been served, are annulled.

The amnesty applies to additional fines and security measures as long as they have not been executed, to sibsidiary legal consequences as well as outstanding fines payable to the Treasury of the Reich or the Landes and to outstanding expenses.

If a sentence has been passed to the effect that something should be confiscated or made unusable it will remain as such.

Section 3

Pending proceedings will be discontinued if the offense has been committed before the 21 March 1933 and further proceedings are not to be instituted.

Section 4

Should a penalty which has not yet been served at the time when this decree becomes effective, include one or several penalties for offences for which amnesty is granted, such part of the entire penalty which is proportionally met out for the offences mentioned has to be deducted.

If a penalty constituting imprisonment has been transformed into one of penal servitude only on account of simultaneous offences for one of which amnesty is granted, the entire penalty which will be reduced pursuant to subsection 1, has to be commutated into imprisonment of the same length of time.

Judicial findings (Section 458 of Code of Criminal Procedure) relating to whether and to what extent a penalty is to be extenuated pursuant to the provisions of subsections 1 and 2 will be decided upon by the court which has the jurisdiction to impose penalties for the offence mentioned in subsection 1.

Section 5

The court decides upon the discontinuance of pending proceedings upon application of the parties.

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If the proceedings have been instituted upon a private complaint the costs of such proceedings are squashed. The Court may divide the necessary expenses of the private complainant and the accused appropriately or may impose the expenses on any one of them.

16 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2059-PS

I, Tibor W. Schonfeld, AEF, Permit No. 51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2059-PS

Tibor W. Schonfeld
AEF, Permit No. 51029

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TRANSLATION OF DOCUMENT 2103-PS
OFFICE OF US CHIEF OF COUNSEL

1943 REICHSGESETZBLATT, PART I, PAGE 295

Decree of the Fuehrer on the Cabinet Legislation
of 10 May 1943

Erlass des Führers über die Regierungsgeseizgebung,
vom 10 Mai 1943

Considering that the law of 24 March 1933 (RGBl I, p. 141) expires formally on 10 May 1943, I ordain:

The Reich Cabinet has to continue to exercise the powers entrusted to it by the law of 24 March 1933.

I reserve it to myself, to bring about the confirmation of these powers of the Reich Cabinet by the Greater German Reichstag.

Headquarters of the Fuehrer, 10 May 1943.

The Fuehrer
Adolf Hitler

The Reich Minister and Chief of the Reich Chancellory.
Dr. Lammers.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2103-PS

30 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2103-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
O-1335567.

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"The German laborer of brain and fist, who marches in the SA, has long ago grown out of the bourgeoise notion of duty behind which stands 'I must' and has grown into the sublime feeling of the soldierly conception of duty which culminates in the absolute voluntariness of "I want to'.

We SA men want to live as men, to fight as men, and to die as men with the consciousness that we have done our utmost for and devoted our utmost to Fuehrer and Folk."

/s/ VICTOR LUTZE

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TRANSLATION OF DOC. NO. 2168-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Writings of the Hochschule for
Politics
Edited by Paul Meier-Beneckenstein

II The organisational structure of the
Third Reich

Book 21

Schriften der Hochschule fuer Politik
Herausgegeben von Paul Meier-Beneckenstein

II Der organisatorische Aufbau des Dritten
Reiches

Heft 21

Dr. Ernst Bayer
The SA
Die SA

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III. PROSPECTUS
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TRANSLATION OF DOCUMENT NO.2168-PS
OFFICE OF U.S. CHIEF OF COUNSEL

THE SA

History, Work, Aim and Organization of the Storm Troops of the Fuehrer and the Supreme SA Headquarters.

Compiled on order of the Supreme SA Headquarters.

By SA - Sturmfuehrer
Dr. Ernst Bayer

Die SA

Geschichte, Arbeit, Zweck und Organisation der Sturmabteilungen des Führers und der Obersten SA. - Führung.

Bearbeitet im Auftrag der Obersten SA. - Führung
von SA. - Sturmführer
Dr. Ernst Bayer

1938
Junker and Dünnhaupt Publishing House, Berlin

Junker und Dünnhaupt Verlag Berlin

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THE PATH OF THE STRUGGLE.

Germany experienced in the year 1918 a revolution whose spiritual bearers were people to whom morals, honor, and love of the Fatherland were unknown conceptions, who ridiculed soldierly virtues and fighting behavior and laughed at the performance of the German Army. Their example and their propaganda found followers because the man of that time had not learned to think clear politically, because he was tossed here and there between political, economic, and religious directions and interests, and because he did not have the power; to decide for himself, out of a deep anchorage and belief, in a great ideological idea; and to hold himself firm against a breakdown. That which the Reich of the Kaiser had failed to do, which was the internal shaping of the human being into a knowing and convinced fighter for the nation, avenged itself in 1918 bitterly.

At this time of the complete breakdown of Germany, the Fuehrer with his Idea began the march among the people. And beside and with him marched men, embodiment of soldierly spirit, who perceived their highest mission in life to be in service for a new greater Germany, ready to enter upon and to sacrifice everything for the victory of National Socialism. They are the first political soldiers of the Fuehrer, the original cell of the SA.

Are we able today to write a history of the SA? Scarcely, for this history is still too much the present and we stand too close yet to the experiences of a great period in order to be able to measure and evaluate correctly the immense performance of the fighting period and of the upheaval in its forcible measures.

Numbers are distinctive of the picture of history. And, indeed, if we would give an historical presentation of the fight and the performance of the SA, we must not only name the dates of great events, which are apparent to all the world, but also we must go out into everyday affairs and experience there the path, spirit and struggle of the SA as an historical performance of the unfolding power of a nation. Dates and numbers, however, win meaning and become valuable only if they come alive as the expression of a great deed, of an offered sacrifice or of an historical performance for the nation. And the SA has produced innumerable of such dates and figures which distinguish the path of the SA as the sacrificial way of the best of a nation. Along this path stand the eternal monuments of over 400 blood witnesses of the Movement, who gave their lives for the resurrection of Germany.

The SA was not founded as one forms just any sort of club. It was born in midst of strife and received from the Fuehrer himself the name "Storm Troops" after that memorable hall battle in the Hofbrauhaus at Munich on the 4th of November 1921. Forty-six National Socialist regulars (Ordner) stood against a thousand Marxists on this memorable day. The Fuehrer had spoken to his men before the meeting: "Today for the first time you will have to preserve the faith of the Movement come what may. Not one of us leaves the hall unless they bear us out as dead men. He who cowardly yields, from him I will personally tear off his arm band and take away his badge. Think about the fact that attack at the slightest attempt to make an explosion is the best defense."

In a bitter struggle 46 German men, who were determined to carry through to the end even at the sacrifice of their lives, beat out of the hall and put to flight a thousand Marxists. It was a baptism of fire and a test of the willingness to bear a burden which this young shocktroop of the Movement had masterfully undergone and which secured for the Party peaceful meetings up to 9 November 1925, for no Marxist dared to raise his fist again in National Socialist meetings. Outside, however, on the streets the dissembling strife continued in strengthened extent.

Blood and sacrifice were the most faithful companions of the young SA on its hard path to power. The Storm Troops were and still are today the fist and propaganda arm of the Movement. The SA was not only messenger, but also pattern for the Idea, the spiritual and physical armament of the Party and the assembly basin for the fanatical fighters of the National

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Socialist ideology. So the SA became the school for practical National Socialism for all German men; it has so remained up to the present day and it will be so forever in the future.

It is one of the greatest historical services of the SA that at the time when the German People's Army had to undergo a dissolution, it held high those virtues which marked the German soldier: personal courage, idealism, willingness to sacrifice, consciousness of responsibility, power to decide, and leadership. Thus, the SA became among the people the messenger and bearer of German armed strength and German armed spirit.

The 4th of November 1921 was not only the birth hour of the SA by itself, but was the day from which the young fighting troop of the Movement took its stand at the focal point of political events. With the clear recognition that now the unity (Geschlossenheit) of a troop led to victory, the SA was systematically reorganized and so-called "Centuries" (Hundertschaften) were established. The year 1922 saw the SA variously in action. On the 16th of August the first marching columns demonstrated along with patriotic associations against the protective law of the Republic (Republikschutzgesetz). The Marxists appeared but the SA struck destructively and by fighting gained for itself the liberty and right of the streets. The flow into the SA grew so, that in September 1922 eight Hundertschaften could be raised in Munich. These quickly grew further. On the 23rd of November the 11th Hundertschaft was formed, which was composed almost exclusively of students. The present deputy of the Fuehrer, Rudolf Hess, took over the leadership of this Century.

"We have to teach the Marxists that the master of the streets in the future is National Socialism, exactly as it will once be the master of the State"; thus, Adolf Hitler sketched the outlines of the task of the SA. And sooner perhaps than one supposed, the opportunity came to let deeds speak. The march in Coburg on the 14th and 15th of October 1922 became a beacon of the Germanywhich was awakening. It was to be a "German Day" set up by the citizens and it became a breakthrough battle for National Socialism. It became the day of the SA on which 800 SA men under the leadership of Adolf Hitler and Naval Lieutenant retired, Klintzsch, broke completely the Red Terror.

This mighty success and its linking danger for the system of government led to a step by the Berlin government which was often repeated in the following years: prohibition of the NSDAP for Prussia and other states. The more lively the activity became in Bavaria. For the first time, on 28 January 1923, the Reich Party Day of the NSDAP was held in Munich, where the four standards designed by Adolf Hitler himself were handed over to the SA as campaign symbols. And here, too, the 11th Hundertschaft appeared for the first time in uniform: grey cap, windbreaker, swastika band, and knotted stick.

The Ruhr invasion by the French caused the conversion of the SA, which up to then had been only a political fighting troop, into an armed association for the purpose of employing these battle-tested men in a desired active resistance against foreign domination. All pressed for a decision. And in the matter the Storm Troops of the Fuehrer did not want to be inactive. They joined themselves with other fighting Bavarian bands and formed the "Labor group of patriotic fighting associations" under the leadership of retired First Lieutenant Kriebel. In March 1923 the last commandant of the Richthofen Squadron, Hermann Göring, took command of the entire SA. Activity and readiness is the password. Out at Forstenrieder Park and on the Frottmaninger heath near Munich the Labor Group held great exercises, at which on May 1st an armed parade of the whole Bavarian SA and other fighting associations ensues on the Oberwiesen field. This day was supposed to bring the final reckoning with the Marxists. Only the employment of the Reichswehr and police prevented this intention.

The decision is pressing; the collapse of the Ruhr resistance and its consequences threaten the unity of the Reich and seem to bring about chaos. The 8th of November comes around. That evening, full of hope and certainty of success; the betrayal of that night, base and unbelievable. No one believes yet that men in the fateful and difficult hour have betrayed the struggle for Germany. On the morning of November 9th, Adolf Hitler casts his young Movement, his faithful and upright fighters, onto the scales of decision; the march to the Hall of the Field Generals (Feldherrnhalle) through

jubilant Munich. Betrayal causes this March of Triumph to become a Death March for the best of the nation.

The Fuehrer is in custody. The head of the Movement is missing in the most difficult hours after the miscarriage of the revolution. Everything appears beaten and lost. But one thing is not: that spirit of the Storm Troops which has fought for the new Reich and which has become, under the concept "Spirit of the SA", the pattern for voluntary and ceaseless preparedness for sacrifice and initiative for German men. And it was victorious over betrayal.

The faithful collaborators and comrades of the Fuehrer rescue what is to be rescued. The Illegal the SA continues and waits for the return of the Fuehrer from the prison in Landsberg. He returns in 1925, and the men of the Storm Troops, with the same spirit of readiness for sacrifice and use, come to him and are strongest support to him at the Party re-founding, which occurs on February 27, 1925. In his basic directions for the re-establishment of the National Socialist German Labor Party, Adolf Hitler ordered the refounding of the SA as a pure Party organization for meeting hall protection and propaganda, without having the character of an armed association.

And now a fight for Germany began of such a sort as was never before fought. What are names, what are words or figures which are not indeed able to express the magnitude of belief and of idealism on one side and the magnitude of hate on the other side.

1925: the Party lives again, and its iron spearhead is the SA. With it the power and meaning of the National Socialist movement grows. Around the central events of the whole Movement, the Reich Party Days, dates, decisions, fights and victory roll themselves into a long list of German men of undenying willingness to sacrifice.

One cannot count up all of this at one time. However, we wish to present the sense and meaning as we tell what the SA was: the political strong arm, the visible representation of the idealism and daily initiative (Einsatzkraft) of the Party. Generally, it stopped the breaches. As an example of a seemingly impossible deed, the 11th of February 1927 should be firmly preserved. It is the day on which the SA broke the Red Terror, with heavy sacrifice, in the hall battle at the Pharoah's Hall (Pharussaelen) in Berlin, the stronghold of the Communists, and thereby established itself decisively in the capital city of the Reich. In considering the badly wounded SA men, Dr. Goebbels coined the phrase "Unknown SA Man", who silently fights and bleeds, obeying only his duty.

Possession of the streets is the key to power in the state--for this reason the SA marched and fought. The public would have never received knowledge from the agitative speeches of the little Reichstag faction and its propaganda or from the desires and aims of the Party, if the martial tread and battle song of the SA companies had not beat the measure for the truth of a relentless criticism of the state of affairs in the governmental system. They wanted the young Movement to keep silent. Nothing was to be read in the press about the labor of the National Socialists, not to mention the basic aims of its platform. They simply did not want to awake any interest in it. However, the martial tread of the SA took care that even the drowsiest citizens had to see at least the existence of a fighting troop.

The SA conquered for itself a place in public opinion and the leadership of the National Socialist Movement dictated to its opponents the law for quarrels. The SA was already a state within a state; a part of the future in a sad present.

In this period there was only one thing: discretionless use of the person and genuine spirit of offensive. This became more essential from year to year for sudden attacks on individual National Socialists and whole columns piled up in frightful quantity. The death roster of the Movement grew. However, the greater the losses became, the more tightly the SA men closed themselves into a sworn fighting partnership. Its exemplary

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employment did not remain without effect. The best from the ranks of the Reds came to the "Nazis", because they were convinced by their deeds. When at the very end of 1926 the volunteer-corps fighters (Freikorpskämpfer) of the various Rossbach groups joined themselves to the SA, the SA received not only strengthening alone through that but also strong buoyancy.

With the end of 1926 there begins a new phase of development in the history of the SA. The Storm Troops until now had stood in loose connection with the political organization. A Reich branch or central command office was not yet in existence. Both were created with the ensuing founding of the Supreme SA Leadership Headquarters, on November 1st, 1926. With that a central control originated to which the SA, as well as the SS and the HJ were subordinate. Adolf Hitler appointed the Gau leader and SA Fuehrer of the Gau of the Ruhr, Franz von Pfeffer as the highest SA Leader. In the course of the years 1926 and 1927 the SA was uniformly reorganized and divided into divisions (Gruppen), Gau areas (Gaustürme), brigades (Brigaden), regiments (Standarten), battalions (Stürme), and platoons (Trupps) and at the same time a sharp separation from the political organization was achieved. That which had been established in practice became now the clear internal orientation (Ausrichtung) for the SA: the Storm Troop men should be educated into political soldiers, politically dependable, spiritually motivated, physically steeled, disciplined and devoted to the Fuehrer in unconditioned fidelity and obedience. Thus the SA became the mightiest instrument in the hands of the Fuehrer.

1927: The first huge demonstration in Nurnberg of National Socialism which can no longer be dead silent. 30,000 SA men march a bloc of will and strength. The System becomes nervous. Up to then the Executive has looked on inactively for the most part. From then on it directed all measures against National Socialism and allowed thereby more and more liberty to Communism and Marxism. The word "Forbidden" was all too well known to SA men. The Berlin SA, which had been forbidden with the Party in May 1927, coined the password: In spite of prohibition, not dead (Trotz Verbot nicht tot). And this slogan, to the discomfort of the System, became an all too living reality when it issued like hail prohibitions of all shades and shapes in the following years. One of the old veterans coined the phrase once: the history of the SA and of the NSDAP generally has been a single, almost uninterrupted succession of prohibitions. Something was always prohibited. There was never a period in which the SA was granted nearly the same liberty in all Germany as was granted to the Reichbanner or certain patriotic associations.

Brown trousers and boots in themselves were dangerous for the State. The white shirt had to substitute for the brown shirt for a long time. Often the SA men came to meeting and parades with naked upper parts of the body and with bare feet, and many in their underwear, because along the way the pieces of clothes which were dangerous to the State were taken off of them. Chicanery after Chicanery. But all of this had to be borne. However, murder and terror governed this year of the strife. And always it was National Socialists who were stamped as the attackers.

Emergency orders and measures for the protection of the Republic aided the waves of prohibition. They promised themselves results from this because they believed they dealt with factionists and did not recognize that these National Socialists were bearers and heralds of an ideology. They themselves were conscious that they were the last levy (Aufgebot) of the German Folk. Thus the SA grew to be the troop which fought most strongly against the decaying Republic. It was spared no sacrifice but also no prohibition, no trickery, and no item could stem its march.

Almost 300 dead comrades marched with the ranks of the SA, foremost among them the songster of the Movement, Horst Wessel. His sacrificial death became a new beacon of the struggle for Germany. The labor and the struggle of the SA was not in vain. They stood at the foremost front of election fights. Adolf Hitler himself on the 2nd of September 1930 took over the leadership of the SA as the Supreme SA Fuehrer. He himself guided his SA in the fateful election fight of the year 1930. On the evening of the 14th of September the first battle was won. 107 representatives of the NSDAP took their seats in the German Reichstag. A huge victory was earned through the fight, but, the System took no reckoning of it.

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1931: It was to be the year of decision. The Movement grew steadily; everywhere the election results were great. The burden which tested the SA was enormous, and only an iron discipline and internal union helped it to bear all the difficulties.

SA, SS and HJ were newly articulated. On April the 1st the National Socialist Automobile Corps as an auxiliary organization of the SA, which performed valuable service at election time, was founded. The 17th and 18th of October brought the SA meeting in Brunswick at which 104,000 SA and SS men passed in review before Adolf Hitler. Here before these faithful fighters the Fuehrer raised before all the world claim to the total state leadership by National Socialism. The men returned to every day affairs with enormous enthusiasm and new courage which could not be dampened by the announcement on December 8 prohibiting the uniform in all regions of the Reich.

The fateful year 1932 brings a heavy blow to the Movement. On April 13 the SA and SS are prohibited within the entire regions of the Reich, even after the vote of unprecedented activity in the second election for Reich president on April 10, 1932, had been 13,400,000 for the National Socialists. They wanted to beat an organization by the most brutal means. The wearers of the brown shirt were treated like criminals. Everything attainable was confiscated. SA homes and SA kitchens which gave protection and meals to needy and jobless SA men were pitilessly closed. Nevertheless, with exemplary discipline the SA and SS carries on and does not allow themselves to be enticed into rashness. As simple party partners the SA men fulfill their duty now. Finally on June 14th the uniform and demonstration prohibition is raised. Communism and Marxism raise themselves and want to stop the victory parade with bloody force. Not less than 32 National Socialists, among whom were SA and SS men and Hitler Youths, fall as sacrifices to the Red Terror in a short six weeks. The Bloody Sunday of Altona was a terrible indictment against the governmental system. Eighteen Folk comrades are killed and 50 badly hurt. Nevertheless, the SA remains disciplined and unshaken. It is not the least of its meritorious services that the Reichtag election of 31 July 1932 brings the NSDAP a huge victory and makes the Movement the strongest Party in the Reichtag. And in spite of all, the SA men are still unprotected game, having nothing for their protection but their own strength and the fidelity of their comrades. It is difficult to clothe in words what lies and slanders were poured out over the SA during this period; it is also difficult to tell with what incomparable discipline and devotion these men have fought. "Bullies and beaters" they were called by the satiated citizenry, and yet it was they who protected the security of the citizenry from Bolshevism. "There can be no thanks for anyone when considering this greatest success of our Movement, but there is only the duty of all of us to take up and continue the fight again with renewed and increased strength" -- thus Adolf Hitler recalled to mind on the night of the victory of his Movement, and that was a command for the SA.

The time of the most difficult trials arrives. The SA knows it is for the ultimate. Victory, already within grasp, must be finally gained by fighting. Comrades fall but unswervingly the columns march. The Fuehrer told them: "Victory belongs to him who in this fight brings the last levy (Aufgebot) and the last battalion onto the battlefield." And the SA was prepared to enter its last battalion.

On the 22nd of January 1933 the decision, morally, comes. At the Bulowplatz before the Karl-Leibknecht House in Berlin, the Moscow Center in Germany, the Berlin SA parades. Before this collected strength of the Party the hirelings of Moscow crept cowardly into their lurking holes. Hour after hour the SA men passed in review before the bulwark of Communism and none of the Moscow disciples dared to raise a fist. It was a victory for the SA, the significance of which could only be measured later.

Then the day dawns which meant victory and fulfillment of the struggle of the SA: the 30th of January 1933. No command was given on this day, and yet ten thousands of SA men and National Socialists stood ready in the evening, in their old tattered brown shirts in which they had marched through murder and terror, to greet the Fuehrer, their Highest SA-Fuehrer, as Chancellor of the German Reich. In these SA men the young Germany marched

through the Brandenburg Gate into a Reich which they had fought for at the foremost front and which to form and to carry today is the highest commandment of their lives.

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THE SA IN THE THIRD REICH

Just as there was no celebration of victory by Adolf Hitler and his fighting comrades after the seizure of power, so was there no moment of rest for the SA men. What was worth cleaning up, was cleaned up. Whether as auxiliary police or with special orders, whether as a propagandist or as helper, the SA man in general was there and labored silently as the shining example of the Idea in the structure of the new State. Even after victory the SA had heavy losses to lament. It was generally employed where elements of the government foreign to the people had not yet understood the signs of the time or where Communism and elements hostile to the State still insolently dared to rebel. And not the last the fight against disguised opponents was a difficult labor of the SA. But it is proud, then and now, to be the tool for strengthening the structure of the new State and of the Community of Folk. (Volksgemeinschaft).

For the first time, on April 8, 1933, the entire SA in the regions of the Reich and of Austria, stands drawn up at the same hour to avow their immutable fidelity and willingness to follow to the Fuehrer, who addressed his men over the radio from the Berlin Sports Palace. The young Steel Helmets (Jungstahlhelm) and the Steel Helmets (Stahlhelm) during the year 1933 placed themselves under the SA and became members of it. The SA during the year experiences several changes which finally result in the present form of the organization as will be described in the following chapter.

With the consolidation of inner political perceptions within Germany the type of strife of the SA changed. Just as the SA man during the fighting period was not a companion along the way to great decisions, but was the one who prepared the way, so the SA retained in the Third Reich its original task, namely: to be the Shock Troops for Ideology and as the practical school of National Socialism. The SA trained no specialists in any form for its area of labor was among the entire German Folk. To carry to the Folk, through things previously experienced and by acts, the revolutionary spirit of the fighting period, the initiative and willingness to sacrifice and to keep awake among them those virtues which are the fundamentals for the preparedness of National Socialists, is one of the huge tasks of the SA. "All that you are, you are through me; and all that I am, I am through you alone". These words of the Fuehrer, spoken to his SA on the 30th of January 1936, are a recognition as well as an obligation. It is a short formula of the platform of the SA: Germany.

The deeds and achievements of the SA are not carried upon huge rosters but are every day undertakings which will continue to live in the hearts of the people. And that is more valuable than the written word.

Several things out of the manifold labor sphere of the SA should be named in collective concepts: use at times of catastrophe, prevention of damage, thanksgiving of the Nation, cultural work, colonization, educational encampments, officer training schools, scholarships (Freiplatzspende) and many more. Over all of this is the eternal charge: shaping of human beings. The guiding motif of this labor to educate the German people is this powerful entity: strong soul, sound spirit, steel-like body.

National Socialism has never demanded a new state form but has always demanded the reformation of the individual German into a fighter who has intelligence, who has convictions, who is politically dependable, who is spiritually motivated, and physically hardened. Thus it was only the consistent continuation of a labor already begun to win the individual German when the Fuehrer handed over to the SA the execution of protective and aggressive training and education of the individual German. SA sports and SA sports badges, the latter established by the Fuehrer himself on the 15th of February, 1933,"in order to lend a conscious expression in all sections of the German people to the cultivation of a warlike spirit", are essentially the new shape of the physical and spiritual training of the individual German within the meaning of the National Socialist Ideology. Therewith, the SA was commissioned to obtain an increase of and preservation of a warlike power (Wehrkraft) and a warlike spirit (Wehrgeist) as the expression of an aggressive attitude. The creation of the NS Contest Games on November 27, 1936, as a yearly spectacle

of accomplishments of physical prowess and of a warlike spirit, and the order of March 18, 1937, that possession of the SA sports badge is made dependent upon yearly repetitive performance of the tests in order to maintain the warlike fitness of its bearers up to old age, are milestones along the way to attainment of the great goal of the SA.

The SA is aware of the magnitude of its task. But only it is able to master the tasks given by the Fuehrer because it emanates from the Folk and is a part of the Folk.

II. Organization

THE BRANCHES OF THE SA

The Fuehrer himself has designated the SA as the guarantor of the National Socialist Movement and the National Socialist Revolution. The SA is the political soldiery. In this concept "political soldiery", which was coined and found its animated shape during the fighting period, are contained all these tasks of the SA whose affairs represent still today the educational work of the Storm Troops. Tasks of this proportion are only completed by voluntary performance of service; however, they require, too, an organization which branches out widely and yet guarantees as much as possible, by a concentration of individual supervisory offices and their work sphere, a central, clear, and united management.

The Supreme SA Fuehrer is Adolf Hitler, who gives his oldest fighting formation its tasks, determines its direction of work, and commands its uses. By order of the Fuehrer the Chief of Staff represents the SA in its totality. A high measure of recognition and trust of the Fuehrer lies in this charge, for to the Chief of Staff of the SA is entrusted, for ideological and physical education and for further development, the best and most valuable young strength of the German people.

The Supreme SA Headquarters in Munich and the Office of the Adjutant in Berlin are both bureaus of the Chief of Staff; the SA Fuehrers who head these are directly responsible to the Chief of Staff for their work.

The Supreme SA Headquarters is subdivided into the operational staff, main offices, offices, and divisions. The Stabsfuehrer of the Supreme SA Headquarters determines its employment as representative of the Chief of Staff.

The Storm Troops of the Fuehrer himself, which exist in all the regions of the Reich and in the free city of Danzig, are divided according to political and territorial considerations.

The entire SA is composed of 24 groups which are subordinate to the Chief of Staff. These are: SA Group Alpenland, Bavarian Eastern March, Berlin-Brandenburg, Danube, Franken, Hanseatic, Hessian, Hochland, Kurpfalz, Middle, Lower Rhine, Lower Saxony, North March, North Sea, Eastland, Eastern March, Pomerania, Saxony, Silesia, Southern March, Southwest, Thuringia, Westfalia, and Western March.

The next subordinate branch is the SA Brigade, which is composed of several regiments. A regiment consists of three to five battalions, which is formed from three to five companies. The SA Company is organized generally into three platoons, each of which is further subdivided into three squads.

The multilateral demands which are made of the SA formations require, above all, in the use of the SA for preparations, parades, catastrophes, accidents and all other acts of assistance, the incorporation of special or technical units. Therefore, the following special branches were established: signal, engineer, mounted, naval, bicycle, and sanitary units. Local considerations and geographical situations determine their incorporation into companies and battalions and govern the consideration of subordinate positions.

THE OPERATIONAL STAFF OF THE SUPREME SA HEADQUARTERS

The Stabsfuehrer is the permanent deputy of the Chief of Staff. As such

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he is the highest authority for the collective main offices of the Supreme SA Headquarters and of the SA groups. All decisions of a basic nature for the SA, as long as they are not reserved for the Chief of Staff himself, are made by the Stabsfuehrer. Immediately subordinate to him are the liaison office of the Supreme SA Headquarters, the central division, the staff for military affairs, the press and propaganda division, the legal division, and the architectural division. The liaison office keeps in continuous touch with all important bureaus of the Party and State in order to handle all the questions which are of importance to the SA.

The treatment of occurrences of a fundamental sort, which require rapid settlement and touch on the spheres of the various main offices so that the closest cooperation with these main offices becomes a matter of course, is the function of the central division with its two main departments. The Staff commandant's (Stabskommandantur) office bears the responsibility for the total, internal operational service of the Supreme SA Headquarters.

The entire press and propaganda preparations or exploitations (Auswertung) of all important events within the SA emanate from the press and propaganda division to which is also joined publication of the fighting sheet of the Supreme SA Headquarters, the SA-Man. Following the directions given by this division, the group press departments, whose function is the trusteeship of the local press, work through the individual SA groups. The activity is above all of an informative nature; for the SA lays no value on the quantitative nature of the things written about it, but is only concerned with the fact that the German editor may be trusted with the character and task of the SA.

The legal division is still in process of being formed. On the other hand the architectural division, which likewise was newly formed, is working on plans and projects for new building designs in which the creative genius of the SA will be expressed.

THE OPERATIONAL MAIN OFFICE

The chief of the operational main office is responsible for the entire organization and branches of the SA, for the education and suitable equipment of units, and, not last, for the employment of the SA.

The operational main office is subdivided into the office for organization and employment and the office for physical fitness. The latter, on the basis of the SA sports badges must prepare the fighting training of the bodies of all Germans capable of bearing arms (wehrfähig) and as preparation therefor must organize the execution of corporal exercises (basic physical training) and sports performances, so that the widest stratum of the population is laid hold upon and will be kept in condition to bear arms (wehrtüchtig) both physically and spiritual, as well as ideologically in character up to the greatest old age.

The tasks of the organization and employment office are given in its title. Besides this it is entrusted with the special units of the SA: signal, engineer, naval, and mounted units; it treats with the air and gas protection of the SA; it carries on the education of the SA in the sphere of catastrophe protection and prevention of damage; and as well as keeping liaison with all Party and public offices which come into consideration for these questions.

In addition there arises the treatment of details of clothing and equipping the SA and the regulations for office plans for SA offices as well as the perfection of suggestions for investing certain SA units with standards and names of heroic champions of the Movement.

THE MAIN OFFICE FOR EDUCATION (Das Erziehungshauptamt)

The office of education is responsible for the entire education and orientation of the SA Officers' Corps. Upon this office devolves one of the

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tasks of greatest significance for the people, the Reichsfuehrer School, which consists of the Reichsfuehrer School in Munich and the Officers' School of the Supreme SA Headquarters in Dresden. The curricula and community of work at these officers' schools, as well as at the 21 group schools and special schools, serves the purpose of creating an SA officers' corps which bears the highest responsibility and great capability.

The comparatively young officers' school of the Supreme SA headquarters in Dresden, above all, serves for the education of the intermediate SA officers' corps which has earned its qualification to attend at one of the group schools. In this school the training for those who want to try out for the SA sports badge stands in the foreground. The spiritual and physical training on the fundamentals of the National Socialist's ideology pursues the purpose of making the SA Fuehrer into a real educator of his troop. The threefold harmony: Soul, Spirit, and Body, which sets in unison for the common group capability, knowledge, and accomplishment, is an essential prerequisite here. Military sport (Wehrsport), as an SA expression of sports activity, is just as much a means to accomplish our purpose as is instruction about the history of the Party and the Folk, about racial teaching, or training as speakers. The directions for this training hold good for the group schools, too, which are subordinate to the same office. The work is performed in close understanding with the leader of the group in whose territory the school lies, because he himself possesses the best possibility of choosing his future officers. This division, which is immediately subordinate to the main office, maintains liaison with the offices of Party and State, for which the experience won in the educational labor of the SA are significant. Thereby it is achieved that the educational labor of the SA stands in full and complete unison with the labor of the Party and all its branches.

The third office, ideology and culture, counts as its assigned sphere cultural forms of service (Dienstgestaltung), the cultivation of SA and Folk songs, and music. Directly and strictly avoided is publication of any sort of a service plan for festive formations, for form is not the deciding factor, but the spirit with which that form is accomplished.

The division for scientific exploitation (Auswertung), finally, contains a voluminous library. It has the task of giving to every SA Fuehrer who desires to train himself further, information about the most important literature at hand on the subject.

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THE MAIN OFFICE FOR HEALTH

The main health office is responsible for all questions of health and sanitary service of the SA. Since health forms the basis and prerequisite for physical fitness, the main health office inserts itself quite particularly into this branch of the SA service. Not only care of and looking after the sick and injured belong to the accomplishments of health service but, above all, preventive health care.

In the fighting period only the sanitation service existed. It is being organized and changed in some particulars at present. Ten thousand sanitation officers are trained and perfected in the best manner to be able to perform first aid at any time. The Reich Sanitation School of the SA in Tübingen represents the ground floor for entire training activity in the essentials of sanitation. In all regiments in the whole Reich there are sanitation units ready for immediate employment in catastrophe and great accidents. The sanitation man accompanies his comrades everywhere in the SA service, whether it be employment in preparations (Veranstaltungen), construction of barriers (Absperrungen), parades, marches with full pack, or in the fields of sports contest.

Training, equipment, and organization of the sanitation service are gathered together in one office, the main office for health. Next to it is a second office with the task of health operations and fostering of race. The men of the SA have recognized the value of the health of a Folk, and bear the conviction that only a sound Folk can be an eternal Folk. With this conviction they fight for accomplishment of the directions and orders which emanate from the main office for Folk health and from the Reich Surgeon. In the foremost place are the sanitation men of the SA who use themselves for that great goal: Purity of blood and Purity of Race.

THE MAIN OFFICE FOR PERSONAL AFFAIRS

The trusteeship of the SA Officers' Corps, just as the care for future SA officers, is a problem not only for the members themselves but, far and above, is alsoof the greatest significance for the Party and for the entire Nation.

The personal affairs main office, which is divided into three offices: personnel, social welfare (Soziale Fürsorge) courts and justice office, works in permanent, animated touch with the SA front, where the capabilities and suitabilities of the SA officers show themselves in daily employment. A continuous exchange between this front of staff work and application to educational spheres marks the future path of the SA officers. His evaluation results from consideration of the suitability of the character of his ability and knowledge, and, above all, of his service to the Movement. The oldest veterans (Marschierer) and champions (Kämpfer) of the SA also receive leading positions within the branches insofar as they prove their capability to do the job.

If there exists in one way a reward for the old tested fighters in the assignment to fulfil a great obligation and a more responsible mission, then the office for social welfare takes care that those SA comrades who were wounded in the fight for the new Germany or who find themselves in need, are looked out for. If it was imperative (vordringlich) in the first years after the seizure of power to provide a job generally for these men, then, the problem of retraining stepped into the foreground. In the camps of Lockstedt and Falkenstein the SA gives unskilled manpower the possibility of earning, in about 40 weeks, the journeyman's certificate (Gesellenbrief), and, thereby, the prerequisites for an appointment as a skilled laborer in industry, or, in fact, in any of those places which suffer because of lack of such laborers. In addition to that men are retrained for mercantile professions and for work in administrative offices.

The same is true for the choice of settlers for those home sites which arise everywhere in the Reich by way of thanks offerings. Also here are old veterans who find a new home in the thanks-offering settlements alongside of the war victims.

To this office come officially the personal welfare matters of the men and their families. Comrades who have suffered injury at sports or in the service receive a cure or recuperation stay in the SA homes at Wyk in Föhr, Hohenlychen, or Trillup bie Hamburg. The needy are permitted support, and, in fact, in an understanding with the Reich treasurer, the means of the Adolf Hitler Thanks and the Adolf Hitler Foundation are placed at this office's disposal. Above all, however, this office interests itself in those who were injured in the fighting period by political adversaries, so that a permanent personal touch gives to these men the certainty that one will never forget their sacrifice.

As third within the main personal affairs office the courts and justice office is mentioned. One task of this office lies in the fostering of honor and of clean behavior of the SA and the SA Officer's Corps. For the clean behavior of the leadership two chambers of discipline serve. The personal rights of SA men are taken care of in a particular division.

Incumbent upon the justice division, composed of professional lawyers, is legal counsel to the main offices of the Supreme SA Headquarters and groups, cooperation with the remaining justice offices of the Movement, and, thirdly, official traffic with the Chancellory of the Fuehrer and treatment of pardon petitions of criminally convicted SA men as well as former SA members. This proceeds from the viewpoint that the SA man, it is true, on the one side has an enhanced duty to the Community of the Folk; on the other side, however, there comes into discussion manifold economics and mental after-effects of the period of the wrestling for power in the case of old tested veterans of the SA which in their significance can be fully adjudicated only by the SA.

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THE MAIN ADMINISTRATIVE OFFICE

The administration of the SA, in its present standard organization and proper economic operations, represents the tool which the Chief of Staff uses for the solution of great tasks given to him by the Fuehrer. Clarity is the distinguishing feature of SA administration in all its many spheres.

The matters pertaining to the property right of the NSDAP and, therefore, of concern to the SA, are placed under the Reich treasurer as Plenipotentiary of the Fuehrer. The deputy of the Reich treasurer for the entire SA administration is the Reich cashier administrator of the SA, who, without prejudice to his responsibility to the Reich treasurer, is at the same time in his quality as Chief of the main administrative office, the specialist of the Chief of Staff for all matters which touch upon the administration of the entire SA.

The large sphere of the tasks of the main administrative office is divided into three offices: a) money economy (Geldwirtschaft), budget bookkeeping (Buchführung), control of finances, and economics; b) things of value (Sachwerte), procurement (Beschaffungen), insurance and contracts; c) construction and settlement office.

The salary of SA officers and men who are on the staffs which are essential to the main offices is regulated uniformly on the basis of an office plan. It is composed of base pay, quarters allowance, and increase for marriage and children. Considering it from the political standpoint of population, the increase for children in this ideal echelon of society was settled upon.

Great frugality which is pointed to particularly at every opportunity, is understood as a matter of course in the SA. A splendidly working accounting and control system makes possible an exact review of the economic operation of all units and makes easier the immediate remedy of a shortage of any kind. The examination reports, which are requested by the Deputy of the Reich treasurer of the units are treated and made use of (ausgewertet) in one special division of the Main Administrative Office.

The great property values (Vermögenswerte) of the SA, which is a consistent part of the total fortune of the NSDAP, is laid hold upon according to number and value (stückzahl - und wertmässig) and carefully administered. Many millions flow into economy through the settlement work called into being by the Supreme SA Headquarters with the aid of the thanks-offering of the Nation. The settlement work should offer to many thousands of needy people and to families, sound in heredity and rich in children, their own homes. Aside from settlements on the edge of town the construction and settlement office in the neighborhood of Aurich erected farm settlements with 60 to 80 acres (Morgen) of land, which, above all, are managed by former farm laborers. Here, too, they put cattle and even crops at their disposal gratuitously.

The many sided tasks of SA Administration are united closely with those of the headquarters. Parades and other arrangements (Veranstaltungen), training, equipping, procurement, etc., cannot be accomplished without standard cooperation of the administration.

THE MAIN OFFICE FOR NS-TOURNAMENTS

On the 27th of November 1936 the Fuehrer decreed the following order: In pursuance of my proclamation at the Reich Party Day of Honor I hereby create for future Reich Party Days the NS-Tournament. The SA is charged with the preparation and execution of this tournament. I decree that the determinations necessary for execution be left up to the suggestions of the Chief of Staff of the SA. The Reich Sports Fuehrer is directed to cooperate with the sports department of the Supreme SA Headquarters. The Chief of Staff will keep me continually informed about the measures planned.

In order to solve organizationally the tasks sketched in this order of the Fuehrer, the main tournament office was created in February 1937. As the chief of this main tournament office, the Chief of Staff appointed the

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Reich Sports Fuehrer von Tschammer und Osten. By this appointment the guarantee is given that, in comradely cooperation with the Reichsbund for physical training, the tasks set by the Fuehrer in respect to the military fitness (Wehrertüchtigung) of the entire nation and the formation of a Folk will be solved by physical training.

Therewith, SA/Obergruppenfuehrer von Tschammer und Osten holds in his hand responsibility for the organization and accomplishment of the NS Tournaments, which are to be held each year in Nürnberg during the Reich Party Day as an exhibition of the achievement (Leistungsschau) of the whole German people.

Incumbent upon the office simultaneously is direction of the NS Winter Tournaments and Reich Contests of the SA which also experience continuous enlargement.

The main office for the NS Tournaments is divided into three offices: organization, military sports (Wehrsport), and sports which from their titles alone indicate the limits of their spheres of work.

THE ADJUTANT'S OFFICE OF THE CHIEF OF STAFF

In the adjutant's office of the Chief of Staff are treated all questions which are proposed directly to the Chief of Staff by the offices of the Party and of the State, as well as by others. Next to the very voluminous labor of dealing with those questions and lectures of the Chief of Staff on important matters, the Adjutant's Office, as the personal office of the Chief of Staff, has to take care of the preparation for and smooth execution of travel of the Chief of Staff. Continuously the Chief of Staff visits the individual Groups, using in the first place airplane, then rail transportation and automobile. All of the troublesome details, which these official trips demand, require thorough discharge so that appointments shall be kept and the entire program developed as foreseen. As a matter of course many SA Fuehrers, spending a while in the Reich capital, come in person to the Adjutant's Office to speak with the Chief of Staff. Various wishes are attended to here and many worthwhile suggestions come from the ranks of the visitors. The men in the Adjutant's Office whose task it is to do their duties in the personal service of the Chief of Staff endeavor, in order to facilitate for him his difficult and responsible task, take care of at least the pressing questions or help their fellows with professional advice. Next to that this office has value in that it fixes appointments for various official conferences of the Chief of Staff with leading men of the Party and State and in that it divides up the daily program according to current demands, so that all work can be executed smoothly. It is not easy work which the men in the Adjutant's Office have to perform; only the consciousness of helping their fellows in the broad Front everywhere in the Reich and of supporting their fight gives to their work a valuable substance.

SPECIAL UNITS OF THE SA

Engineers and Signal SA

In the same measure that the little Shocktroop (Stosstrupp) of the National Socialist Idea grew up into an organization in whose hands the Fuehrer has laid the whole physical and ideological education of our people, so in the same measure the sphere of the tasks of the brown Army of Adolf Hitler grew and received a multiformity which made necessary the special training of units which were capable of continuous employment and highest performance within their special areas.

First it was engineer companies, then further, it was signal companies. Since the time they were established, both units, when put to the test have proved that the men with "Pi " and "Na" on the lapels of their service uniform are found where German humanity needs their help. If storms whip the waves of the seas, and masses of water threaten the coasts of the Reich;

if downpours and melting snows swell the mountain streams so that fields, plains, and farms are in danger; if fire is on the point of destroying the property of German people; or if anywhere a natural catastrophe happens, one finds, in all the Gaus of the Reich and at all times, the engineers and signal men among the first helpers who strike with cheer and with readiness to sacrifice. Very few have a suspicion of what takes place in the hour of bitterest wrestle with the might of Nature, but they scarcely think about the fact that these very same men, who perhaps gave their utmost during the entire night, are a few hours later going about their callings; and only the least number have a clear understanding of what basic and careful training and what untiring practice was necessary in order to achieve a complete success in time of serious accident. And in these practices we see how a bridge is made at the turn of the hand, how blasting is executed, and can alongside the performances of the engineers, who work hand in hand with the signal units, see with amazement how the latter lay their field cables, set up their telephones, let the blinker apparatus speak, and relay reports by bicycle riders, messenger dogs or carrier pigeons, in short, how they establish connection between the front and the staffs and thereby secure smooth cooperation. The status of training of the men of the signal units is kept under constant control by the signal certificate. This certificate is proof for its holder that his status of training is complete and excellent. It must be won by examinations for three consecutive years before it is finally the possession of the signal man.

Thus there originates in these technical units of the SA a trained crew whose capabilities and knowledge are not the last things of extraordinary value in the service for defense of the country. On one side the young SA man, who enters the Army from his branch, comes prepared with a multitude of prerequisites which facilitate and speed up his training in technical respects; while on the other side those very soldiers, having served, who return out of the Army into the SA, keep themselves, by constant practice, in a trained condition physically and spiritually and impart their knowledge to their fellows.

Thus they contribute a considerable portion to the enhancement of military strength (Wehrkraft) and military spirit (Wehrgeist) of the German people. As everywhere, the soldier of the army finds here, too, his closest confederates in political soldiers.

THE MOUNTED SA.

If today in Germany the sport of riding is not as it was in past decades the prerogative and affair of a propertied class, but a thing for all of those who from enthusiasm and love of horses profess to ride, then it is just something else for which to thank the SA which has interested itself in the sport of riding as a means of fitting the people physically. The Fuehrer himself by his order about the establishment of the NS Cavalry Corps on March 17, 1936, created the basis upon which first the SA Cavalry itself and then the German youth and above all the compulsory military duty classes could be led to the sport of riding. This order soon created the necessary organizational prerequisites, so that at present the SA each year is able to furnish many thousands of young trained cavalrymen to our Wehrmacht. All those who are 18 to 20 years of age must join the NSKK and even those in younger and older year groups may join it, who come up for cavalry and motor training and want to earn a cavalry certificate before their period of service in order to be able to serve with a mounted or motorized troop.

The organization of the NSKK has its apex in the Reich Inspectorate for mounted and mobile units (Reit-und Fahrwesen) who is directly subordinate to the Chief of Staff and who at the same time presides over the recently created main office for mounted and mobile training within the Supreme SA Headquarters. In this way a conceivably close liaison has been established between both organizations, and in it at the same time lies the foundation for fruitful exchange between the SA cavalry and the NSKK. In each S.A. group was created the office of Group Cavalry Fuehrer, who is responsible to the Reich Inspectorate as his deputy for training and organization. At present the S.A. cavalry has at its disposition 101 cavalry regiments in whose schools, year in and year out, young Germans who are obligated for

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service receive the training which fits them for entrance into a section of troops which is of their own choosing.

The NSKK has discovered, by creation of the cavalry certificate, a means of fostering and requiring cavalry fitness. The cavalry certificate is granted only after careful testing and fulfilling essential conditions successfully; it requires an all-embracing quantity of riding ability. Thus the cavalry certificate is a way to select and require real talent. The NSKK is still young, but two years of serious labor h ve already proven the correctness of its objective.

THE NAVAL S.A.

The men of the water's edge, the navigators and fishermen, for the most part do their duty in the naval SA, since they are concerned in their daily professions with all sorts of things having to do with navigation and water. Nevertheless, there are not only naval S.A. regiments along the ocean but also in the interior. If there is no big ship at their disposal for training, a ship built on land often suffices for the accomplishment of the careful training of the men about masts, shrouds, and deck structure. The service of the naval S.A. operates as preparation and development for the Navy. Semaphore, radio, Morse Code, and flags as signal service, navigation, cutter operation (Kutterbullen), astronomy, professional use of sailing craft, rescue service -- to mention only a few spheres of its tasks -- complete its curriculum.

For the seafaring S.A. men, however, who pass the greater portion of their lives onthe seas of the world, there is, inthe first place, ideological use as a border troop who make their appearance in foreign countries at celebrations, parades, and similar events. The naval S.A. furnishes yearly to the German merchant marine and navy splendidly prepared material and is, therefore, practically and theoretically, a valuable support of German seafaring and German navigating.

THE S.A. SANITATION MEN:

The "Sani" men, the sanitation men of the S.A., were already at hand in the fighting period if it was necessary to bring help to injured comrades. Endless numbers thanked the S.A. for these S.A. sanitation men of the fighting period. And from these simple men came physicians for body and soul, who continuously struck the correct note and whom one knew could be depended upon in every situation of life. If security and peace rule internally at present, the S.A. sanitation men have not indeed become superfluous. The Service in the S.A. which is continually prepared for use, brings with it physical danger, and many injuries can be avoided or lessened by speedy aid. Be it hot weather or frost, mischance or sudden sickness, the "sani-men" are at their post. Highest demands, however, are placed on them if, at time of catastrophe, medical assistance is not sufficient and the life of many depends upon the success of appropriate initial treatment. Then the S.A. sanitation men fall to the task and give their utmost. Unnamed and unknown they do their duty in the spirit and tradition demanded by the organization to which they belong.

THE "FELDHERRNHALLE" REGIMENT

Under the symbol, which for us National Socialists is the embodiment of supreme preparedness to sacrifice, the sacrificial runic symbol, the S.A. has created a troop which is set up to symbolize the political soldiery of our time: The Feldherrnhalle Regiment. The fact that the Supreme S.A. Fuehrer, Adolf Hitler, has appointed his tested comrade, S.A. Obergruppenfuehrer Hermann Goering, as its chief, proves the high calling which falls to the lot of this regiment today and tomorrow. As the elite troop of the S.A. it seeks to be the shining example in service and in obedience.

The measures (Masstaebe) are very strict which have been laid upon this young body of men (Mannschaft) who have assigned their lives to this regiment.

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Yearly young men from all callings and skills of the people thrust themselves into this original body (Stammmannschaft). Differences of heredity or property are unknown. Here it is only the man, his performance and his obligation to obey as an ever ready S.A. man the commands of his leader, which has worth.

Every possibility stands open to him who proves himself true in this regiment. He who has performed his year of service may decide to remain or return to his calling. Likewise it is possible to work his way up into the main offices of the S.A. headquarters or to enter the administrative service; the decisive factors for that, frankly, are the capabilities of the candidate and the possibilities for their use in the political life of the people.

In six great camps, which lie scattered in the whole Reich, a valuable work of education is consummated for many hundreds of apt persons. The political value of this work cannot be grasped by bare numbers and dry statistics. These are not decisive factors; it seems to us to be much more essential and for the justification of this formation of political soldiery, that out of the training of the Feldherrnhalle Regiment, National Socialists go forth who shall do their part to assure the continuation of that work begun by Adolf Hitler. For this reason there belongs in the Feldherrnhalle regiment the concepts of discipline, voluntary subordination, and leading a soldierly life as first prerequisites and basic conditions for the acceptance of future members (Nachwuchs).

Out of the apparent forms of political life developed by the present emulating in their behavior the proven example of the old S.A., the Feldherrnhalle regiment professes itself to the concept of a soldierly life. It unites in its ranks young, consciously political individuals who voluntarily wish to live their lives in h ardiness and soldierly strictness.

THE REICHSFUEHRER SCHOOL

Selection of officers and planned education of officers was the innovation drawn into the circle of political work of the Party after the seizure of power. An effective instrument for such officer training is the Reichsfuehrer School in Munich created in 1931 by the Fuehrer. Many thousands of S.A. officers are oriented here in accordance with the perceptions of the fighting period in their new form and have been trained and then, supplied with knowledge and ideological learning, have gone out into their units where they impart to those whom they have to lead, the Front of the political struggle of the present and their experiences and recently gained insights.

The work of the Reichsfuehrer School today is set aside to bring the synthesis of body and mind very near to the ideal form. All technical means are employed to do that. In a nine months course of study the future S.A. officers are introduced into all spheres of political life. The Reichsfuehrer School desires to stimulate self-created labor, to teach meditation, and to shape the young S.A. officer into a consciously strong charactered, political personality. Body, mind, soul -- one cannot be thought of without the other. A hardy physical training, strict measures about health and racial values and continued supervision of the life being led are valuable, but are also indispensable expedients for strict and serious work.

A second task has been given to the Reichsfuehrer School with the comprehensive two weeks labor conference which takes place yearly in the time after the Reich Party Day, and is for the older unit officers from regimental commanders up to, and including, staff divisions. At these labor conferences the political balance sheet of the year is reckoned. Consequently, the Reichsfuehrer School has an outstanding part in the political training work of the Party. The success of the education of future officers will perhaps become apparent only in later decades, but even today the goal stands out in a clearly recognizable fashion: the individual German trained in National Socialism, hardened in mind and strength, and firm in character.

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The Reichsfuehrer School of the S.A. in Dresden is guided according to similar directions. For special training of particular units there is at the disposal of the S.A. the Reich Sanitation School in Tübingen and the Reich Cavalry School in Zehlendorf.

III. PROSPECTUS

The Law of Willingness to Volunteer (Freiwilligkeit).

In the beginning of the fight there was the Party and the S.A. The goal, tasks and changing requirements of the fight have led to the establishment of the branches of the Party out of the great collecting basin of the S.A. The strong impulses which emanated from the S.A. have been carried over into the labor of all branches of the Party. All branches fulfill their work at present according to their own laws and responsibilities. Most of their officers, however, and many of the men have marched in the ranks of the Storm Troops, and, thus at present there lives and works in these branches the further quality which we call the S.A. spirit.

"The fight continues" -- that was from the start the password of the S.A. and will continue to be for all time. Never has the S.A. man fought just to be fighting, and never to be destructive, but he has fought only to be constructive. And only for that reason can the Fuehrer extend tasks to the S.A. in the new State, which have a decisive significance.

Our comrades in the past years in Austria have demonstrated with what spirit the S.A. is blessed. They were unshaken in avowal to the Fuehrer, in belief in the strength of blood, and in fidelity to their native place. They have fixed for themselves a monument to the S.A. spirit which will always renew itself. Their sacrifice was a cornerstone of liberty. They were proud to be permitted to suffer for Germany. Fate has let these men and their families go along a path whose milestones were need, hate, suffering, terror, and pursuit. Many have sacrificed their lives, and for many, who sat behind dungeon and prison walls, the hope of liberty had sunk away to nothing, and, yet not one word of bitterness came past their lips. He who fought thus is worthy of being called a German and an S.A. man.

A few months ago the S.A. men of Austria still stood in the midst of bloody fighting, and yet now they work in peaceful construction. Thus the S.A. in German Austria became the peace army of the people in the National Socialist State. The S.A. was only able to master this task because the goal always remained the same and they marched along all paths which the Fuehrer commanded, and because the voluntary will to serve is the supreme law of National Socialism.

Today the S.A. stands before the great task of being guardian and fashioner of the armed desire (Wehrwillens) and armed strength (Wehrkraft) of the German people. Its devotion, its preparedness to sacrifice, its belief in the idea, and its soldierly, combatant attitude will create and preserve in the German people that physical fitness and armed (wehrhafte) preparedness which the Fuehrer and the Reich need and without which a people cannot live.

Great achievements are only produced with unheard of personal application based upon voluntary will (Freiwilligkeit). And this law of voluntary service is the key to preparedness and successful labor of the S.A. Not spectator, but active participant is the password of the S.A. in all things it takes hold of.

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The Storm Troops have made their way through most difficult trials. They have withstood them because this nucleus troop bears in it unshakeably the spirit of unconditional fidelity and unconditional obedience to the Fuehrer. The S.A. exists today stronger and firmer now and forever. It knows that the Fuehrer will also assign to it inthe future new work spheres. The Storm Troops are ready to fulfil the commands of the Fuehrer and his charges with complete application because they desire in all things to be nothing other than the bearers of the Idea, the strong arm of the Movement, the secure support of the people and the German people's infantry, prepared to sacrifice and happy to attack.

CERTIFICATE OF TRANSLATION
of DOCUMENT NO. 2168-PS

7 November 1945

I, WILLARD EVANS SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2168-PS.

WILLARD EVANS SKIDMORE
Lt. (jg) USNR
391590

PARTIAL TRANSLATION OF DOCUMENT NO. 2324-PS
OFFICE OF U S CHIEF OF COUNSEL

EXTRACTS FROM GOERING AUFBAU EINER NATION (1934)

Page 86-87

I declared at that time before thousands of fellow Germans, each bullet which leaves the barrel of a police pistol now is my bullet. If one calls this murder, then I have murdered; I ordered all this, I back it up; I assume the responsibility, and I am not afraid to do so.

Through a network of outer offices converging into the headquarters in Berlin, I am daily, one could almost say hourly, informed about everything that happens in widespread Prussia.

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We had to deal ruthlessly with these enemies of the state. It must not be forgotten that at the moment of our seizure of power over 6 million people officially voted for communism and about 8 million for marxism in the Reichstag elections in March.

Thus the concentration camps were created, to which we had to send first all thousands of functionaries of the Communist and Social Democratic parties.

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The Gestapo deserves a great deal of credit for the success of the revolution and for the consolidation of its achievements. Right in the middle of this constructive work crackbed the blaze that destroyed the high cupola and the auditorium of the Reichstag. Criminal hands had set this fire, had put German Reichstag in flames, in order to give a last beacon to dying Communism, so that it could make one last desperate thrust before the Hitler government was consolidated. The blaze was to be the signal for the Communist party for general terror, for a general uprising and for civil war. That it did not have these consequences, Germany and the world owe not to the noble motives of Communism, but solely to the iron resolution and the hard fist of Adolf Hitler and his closest collaborators, who struck more quickly than the enemy had expected, and harder then he could imagine, and with the first blow suppressed Communism once and for all.

That night, when I ordered the arrest of 4000 Communist functionaries, I knew that by dawn Communism had lost a great battle.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2324

15 November 1945

I, VIRGINIA von SCHON, hereby certify that I am thoroughly conversant with the English and German languages; and the above is a true and correct partial translation of Document No. 2324-PS.

VIRGINIA von SCHON
046318

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PARTIAL TRANSLATION OF DOCUMENT NO. 2408-[illegible]
OFFICE OF US CHIEF OF COUNSEL

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"DOCUMENTS OF GERMAN POLITICS"

(Dokemente der deutschen Politik)

Vol. 1, Page 55, and 1st paragraph of page 56.

C. The End of the Party State.

Between the 27th of February and the 14th of July 1933, the Party State was finally eliminated in Germany. Hence, an event of gigantic historical importance took place during these four and one half months.

The blow of the Communist Party for which the Reichstag fire was to be a signal, has backfired on its originators. Already during the night of the 27th to the 28th of February the organization of the Communist party was completely smashed(1)

(1) Note at bottom of page "See page 18ff"

On 9 March, the Reich Minister of the Interior, Frick, had already announced that the Communists would prevented from participating in the session of parliament at the opening of the Reichstag on March 21st because of their being more usefully occupied. The preliminary law xconncerning the incorporation of the lands (Länder) into the Reich of 31st March 1933 (See Doc. 62) legalized the elimination of the Communists as representives of the German people which had already been carried out in practice. On the 26th of May 1933, the law concerning the confiscation of pr perty of the Communists (Doc. 23) has dealt the final legislative blow to German Communism.

While political organizations were broken up or disintegrated, their supporters wavered back and forth seeking shelter here and there, for instance in individual cases in the "STAHLHELM" and in the German National "Kampfringe". Because of these conditions, the German National "Kampfringe" were dissolved on June 21st, 1933. The "Stahlhelm" prohibited in its formations "any party membership other than that of the NSDAP" according to the agreement of June 21st, 1933 (Doc 34). Numerous restraints had already been imposed on the activities of the Social Democratic Party by the measures of February 28. The backbone of the party was broken by the occupation of the buildings of the trade unions and the smashing of the Free trade unions on May 2, 1933 (Doc. 55). A decree of the Prussion Minister of the Interior concerning the prohibition of activities of the Social Democratic Party of Germany was issued on June 22, 1933 (Doc 25). The orderfor safeguarding the state leadership of July 7, 1933 (Doc. 30) annuls the mandates of the Social Democratic Party in German public coporations. The law concerning the confiscation of the property of the enemies of people and State of July 14, 1933, extended the provisions of the law concerning the confiscation of Communistic Property to the property of the Social Democratic Party and other organizations inimical to the State.

On June 27, 1933, the German National People's Party decided its dissolution "in recognition of the fact that the party state had succumbed", after an agreement with the Reich Chancellor (Doc 26). On July 4, 1933, the party chairman of the German People's Party, Dingeldey, announced the dissolution of his party (Doc. 28).

Also the parties of German catholicism, which were supposed to be most deeply rooted, had to bow to the law of the new order. On July 4, 1933, the Bavarian People's Party (Doc 27) and on July 5, 1933, the Center Party (Doc 29) published an announcement of their dissolution.

TRANSLATION OF DOCUMENT NO.2403-PS.
(Contd)

The law against the recreation of parties of July 14, 1933 (Doc.31) concluded the liquidation of the Party State. Only recreation of parties was thereby prevented. A new epoch of German history began which was founded on the inseparable association of the State and the one party and movement of the NSDAP.

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CERTIFICATE OF TRANSLATION (Partial)
OF DOCUMENT NO. 2403-PS

11 November 1945

I, WALTER R. SELIGSON, 1st Lt, Ord, 0-1558904 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2403-PS.(Partial)

WALTER R. SELIGSON
1st Lt. Ord.
0-1558904

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PARTIAL TRANSLATION OF DOCUMENT 2404-PS
Office of U.S. Chief of Counsel

DER HITLER PROZESS, DAS FANAL ZUM ERWACHEN DEUTSCHLANDS
(The Hitler Trial, The Signal for Germany's Awakening),
2nd Edition, compiled on the basis of the official court records by Ludwig Voggenreiter, and published in 1934 by Ludwig Voggenreiter at Potsdam, Germany.

Hitler's speech in his own defense.

Hitler: May it please the Court!

* * * * *

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Replacing the person by the cipher, energy by volume, the Marxist movement is destroying the foundation of all human cultural life. Wherever this movement breaks through, it must destroy human culture. The future of Germany means: destruction of Marxism. Either Marxism poisons the people, their Germany is ruined or the poison is going to be eliminated, - then Germany can recover again, not before that. For us, Germany will be saved on that day on which the last Marxist has either been converted or broken.

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We will fight spiritually for that one, who is willing to fight with the weapons of the spirit; we have the fist for the one who is willing to fight with the fist.

When we recognized, that the territory of the Ruhr would be lost, our movement arrived at a big point of discord with the Bourgeois world. The National Socialist movement recognized clearly, that the territory of the Ruhr would be lost if the people would not wake up from its lethargy. World politics are not made with the palm branch, but with the sword. But the Reich too must be governed by National Socialists.

A few weeks later, there was the Ruhr uprising and with that German unity broke down. Since then I did not go to Corps Area Headquarters (Wehr Kreis-Kommando) anymore because I regarded all other discussions as completely useless.

But our movement has not been founded to gain seats in parliament and daily attendance fees; our movement was founded to turn Germany's fate in her twelfth hour.

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As we had declared at numerous public meetings, that our leaders would not, like those of the Communists did, stand in the rear in the critical hours, our leaders marched in front. On Ludendorff's right side Dr. Weber marched, on his left, I and Scheubner-Richter and the other gentlemen. We were permitted to pass by the cordon of troops blocking the Ludwig Bridge, who wept bitter tears, were deeply moved and all gone to pieces. People who had attached themselves to the columns, yelled from the rear, that the guys should be knocked down. We yelled that there was no reason to harm these people. We marched on to the Marienplatz. The rifles were not loaded. The enthusiasm was indescribable. I had to tell myself: The people are behind us, they no longer can be consoled by ridiculous resolutions. The people want a reckoning with the November criminals, as far as it still has a sense of honor and human dignity and not for slavery. In front of the Royal Residence a weak police cordon let us pass through. Then

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there was a short hesitation in front, and a shot was fired. I had the impression that it was no pistol shot but a rifle or carbine bullet. Shortly afterwards a volley was fired. I had the feeling that a bullet struck in my left side. Scheubner-Richter fell, I with him. At this occasion my arm was dislocated and I suffered another injury while falling.

I only was down for a few seconds and tried at once to get up. Another shot was fired, out of the little street to the rear of the Preysing Palace. Around me there were bodies. In front of us were State Police, rifles cocked. Farther in their rear there were armored cars. My men were 70 to 80 meters in back of me. A big gentlemen in a black overcoat was laying half covered on the ground, soiled with blood. I was convinced, that he was Ludendorff. There were a few more shots fired from inside the Royal Residence and from the little street near the Preysing Palace, and maybe also a few wild shots fired by our men. From the circle near the Rentamt , I drove out of town. I intended to be driven back the same night.

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A few days later, at Uffing, we found out that I had suffered a fracture of the joint and a fracture of the collarbone. During those days I was all broken down by pains of body and soul, if only because I believed that Ludendorff was dead. I obtained the first newspapers at Landsberg. There I read the statement about a breach of my pledged word that I had pledged my word to Mr. von Kahr, never to undertake anything without informing him, that I had given this pledge still on the evening of November 6th. There I stood as a perfect scoundrel without honor. That is the lowest thing to do, that man, who worked together with us the whole time, stepped up with such lies against us now, when we could not defend ourselves and, to an extent, were broken down in spirit. I never gave such a pledge to Mr. von Kahr. I have said, I am standing behind you loyally, I will do nothing against you, finally I said: "If you are not going to make up your mind, then I will not consider myself obligated as far as my decisions are concerned". When this campaign of slander continued in the course of the next days and one after the other was brought in to Landsberg, whose only guilt was to have adhered to our movement, then I resolved, to defend myself and to resist until the last breath. I did not enter this court to deny anything or to reject my responsibility. I protest against the attempt that Herr von Kriebel tries to assume the responsibility, be it only for the military preparations. I bear the responsibility all alone, but I declare one thing: I am no criminal because of that and I do not feel as if I would be a criminal. I cannot plead guilty, but I do confess the act. There is no such thing as high treason against the traitors of 1918. It is impossible, that I should have committed high treason, for this cannot be implicit in the action of November 8th and 9th, but only in the intentions and the actions during all the previous months. But if I really should have committed high treason, then I am surprised not to see those gentlemen here at my side, against whom the prosecutor would be obliged to file indictments; those who willed together with us the same action, discussed and prepared things down to the smallest detail, things which may be described in particular at a closed session later. I do not consider myself as a man who committed high treason, but as a German, who wanted the best for his people.

As far as the fight against Berlin is concerned, the gentlemen Kahr, Lossow and Seisser planned that too, but seemingly in the federal sense.

In contrast to that, I, from the beginning, took the following point of view: The fight against Berlin will never be carried on by clothing

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it in a defense of strictly Bavarian rights, but the people expect that Bavaria will advocate a general German right in this fight, and by leading all of Germany will succeed in attaining fulfilment of her wishes for her very own state.

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But the fact was: The whole time Lossow, Seisser and Kahr arrived at the same goal together with us, namely the removal of the Reich Cabinet with its international parliamentary attitude of today and to replace it by a nationalistic, absolutely anti-parliamentary government, to put there a dictatorship of leadership. If it has been declared that they were not willing to go ahead by force, yet exercise pressure, I do regret, that we were not informed of the planned coup d' Etat. Revolution means the overthrow of a government by the former opposition. Coup d' Etat means the throwing overboard of a government by men already in power. In short, our conception was the generally customary one. To us, it was self-evident, that if for instance Seeckt or Lossow would approach Mr. Ebert with the friendly suggestion: Mr. Ebert, here are our divisions, we will not employ force, but they do not belong to you anymore, you better leave through the door over there, then it would be called: without force and bloodshed. If really our entire enterprise would have been high treason, then Kahr, Lossow and Seisser must have conspired together with us to commit high treason, because they did not do anything else during all these months, but the very things for which we are now in the dock. If those gentlemen would have declared: We are not willing, then the whole thing would have been settled. But during the last days they made their willingness so clear, that we had to arrive at the conviction, they are willing, but they lack one thing, the will to jump off.

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Now for the events themselves: I went to the Bürgerbräucellar at 8 o'clock. At 8:3/4 the shock squad arrived, scarcely a handfull of people, and occupied the anti-hall. I drew my pistol, as I naturally could not enter with a palm branch, and I also explained to my companion Graf: Watch out so that I will not be shot in the back. On the platform, Kahr, extremely pale and trembling, stepped back immediately. That I fired a pistol shot and had to speak my piece within a short time, was just natural under the circumstances. Only a gentleman, who reads his speech from notes written by others, cannot understand such a thing. I had Kahr, Lossow and Seisser asked to come out. I felt bad, to be compelled to have had German officers escorted out in such a manner. But there was nothing else to do, and for that reason I apologized at once. Anything published about that is torn from the context, pieced together arbitrarily and partially invented. Kahr's remark about "to live or not Live" belongs especially in this category. I must emphasize that Kahr did not stand there in the pose of a hero. I again gave him the assurance that there was no danger for his person. To which Kahr replied: "I am not afraid of that, to live or not to live, makes no difference to me either". I smilingly replied: "Here in my pistol there are still five bullets, four for traitors and one, if things go wrong, for myself".

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Dr. Weber then describes, how the column arrived at the Feldherrnhalle. A Nazi flag and a banner of the Oberland organization were carried in the front. I still see, Dr. Weber says, very clearly the plastic picture, how an officer of the State police, I learned later on that this was First Lieutenant von Grodin, snatched a carbine from one of his men, putting it on the chest of a banner bearer, who was from the Oberland organization. He beat the carbine sidewards with the hammerstick. I am convinced that the shot went off, and this

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seems to have been the first shot. Furthermore I am still seeing very distinctly, how a big, broad-shouldered man, a Nazi, jumped forward and yelled: "Don't shoot, his excellency von Ludendorff is coming". The next moment he fell, hit. We all felt terribly petrified at this moment. The security police (Schutz-polizei) started a violent shooting with carbines right away. Some started hitting with carbines turned downward, with the butt-end. In the last moment I saw a group of State Police fan out at the gallery of the Feldherrnhalle and commenced firing on the people as on wild dogs, despite of the fact that they were lieing already on the ground and running away, so that people already hit and the dead ones too were hit a second time. I too threw myself on the ground; when I was calm again and the shooting had stopped, I saw his excellency Ludendorff escorted by Major Streck walk from the odious place towards the Residence. I followed Ludendorff into the Residence. I was all done in about the fact, that such a terrible unheard of thing should happen in Nationalist Bavaria; that the State Police, supposedly national-minded, should fire at the greatest of the German army leaders.

As I learned afterwards, a great number of people in northern Germany were set to go on account of the Munich happenings, in order to start the push for Berlin in contact with Bavaria. I consider it as self-evident that the goal in Germany would have been reached, if those three men would have stuck to us and would not have broken their pledge in such a disgraceful manner.

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Chairman: You had made up your mind, that an action could have been performed only in coordination with the Reichswehr and the State Police?

Dr. Weber: This was self-evident.

Dr. Hull: Do you know that at the ending of October orders pertaining to personnel (Personalverfügungen) of the Ministry of War in Bavaria simply were not carried out any more?

Dr. Weber: Yes, this I do know. It was self-evident to me, that the Weimar Constitution for Bavaria had stopped to exist altogether, that it was annulled by the legal Bavarian authorities.

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The racial movement does not consider itself as an end in itself. It had and has no obligations whatsoever, but considers itself only as a means for the purpose of strengthening the German Fatherland and the whole German people and of making it free. Regarding it politically, the racial movement, which combined its forces in the German Fighter League (Deutsche Kampfbund) at Nurnberg on September 1st and 2nd 1923, declared its program in the Nurnberg Manifestation. This manifestation has not been attacked by anyone, and has essentially remained the political confession of the movement. This movement was Pan-German politically, regarded both religions as having complete equal rights, but repudiated a political activity on the part of the churches. It was extremely nationalist and militaristic in addition race-conscious, and for that reason anti-Jewish. It was regarded by the Bavarian-Peoples-Party as an adversary, also by leading dignitaries of the Catholic Church, which fact was deeply regretted and for which no explanation could be found.

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In military respect the Fighter League (Deutsche Kampfbund) was of loose structure. It had set for itself the supreme goal of preserving the physical fitness and military spirit of the people and especially

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for the youth -- a desperately scanty substitute for general conscription; abandonment of which is the cause of our misery.

After the creation of the General Staatskommissaria on September 27th, 1923, I did not doubt, that by this act the first step had been taken to solve the German problem - and that by force. If I do mention the names Kahr, Lossow and Seisser, they are not the names of private individuals, but of those who are in control of State and Police in Bavaria and of those parts of the Reichswehr which had already put themselves at the disposal of this Bavarian executive power. This relation explains a double breach of the constitution, committed on the one hand by the Bavarian State and on the other hand by General von Lossow, but also by officers who followed suit, if one takes the viewpoint, that obedience stops at high treason. High treason had been committed, it pressed for action. Otherwise this high treason would be ridiculous in the

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eyes of the world, as ridiculous as it actually is today. Well at that time I believed in action, considering this the more serious, when I had learned that Pöhner was supposed to be made State Commissar for Saxonia and Thuringia. This position could only be maintained, if the protecting power was standing in Berlin. Everything else is nonsense, militarily spoken.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2404-PS

I, PAUL W. FREEDMAN, S/Sgt, 33799122, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct partial translation of Document No. 2404-PS.

PAUL W. FREEDMAN
S/Sgt, 33799122

- - - - - -

I, MARGOT BOATWRIGHT, X-046273, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct partial translation of Document No. 2404-PS.

MARGOT BOATWRIGHT,
X-046273

TRANSLATION OF DOCUMENT NO. 2412-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Pages 12-13 and 19-20, "Nature and Form of National Socialism" (Wesen and Gestalt des Nationalsozialismus), a pamphlet by Dr. Josef Goebbels, Berlin, 1935.

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Page 12-13

Shortly before we took over the power, science tried to prove that this or that revolutionary move was not in accordance with the existing laws and people were not afraid to hand over state political decisions to the supreme court. We only smiled at that time, because while science asserted that it should not be as it was, things have come through long ago. Science only has the right to establish a new set of laws from existing conditions and therefore the condition which has arisen by transposition of our National Socialistic set of laws to the State is a law.

It represents the normal condition of the people and is beyond criticism. Revolution has become a reality and only crazy reactionaries can believe that anything we produce can be cancelled.

National Socialism is now in the process of slowly stabilizing the new legality in Germany which was created by revolution. This is basically different from the former legality and is also beyond the possibilities of criticism, which National Socialism could itself apply in the old system. When democracy granted democratic methods for us in the times of opposition, this was bound to happen in a democratic system. However, we National Socialists never asserted that we represented a democratic point of view, but we have declared openly that we used democratic methods only in order to gain the power and that, after assuming the power, we would deny to our adversaries without any consideration the means which were granted to us in the times of opposition. In spite of this, we can assert that our government meets the rules of an ennobled democracy.

We have been sovereign masters of criticism and are allowed to assume unanimously the standpoint permitting the right of criticism. With this one difference: The right to criticize, provided that it should make sense and not democratic nonsense, in order to be useful to the people which after all has to stand above all political matters. This right can be granted only to the wiser people over the more stupid ones and never the other way around. It remains only to be proven that we National Socialists were apparently wiser during the opposition.

Page 19-20

. . . . . .

We would commit a grave error if we would place National Socialism on the same level on which formerly the bourgeois and Marxist parties stood. From its earliest beginning, National Socialism aimed at destroying all the other parties and at withdrawing people from their inveterate influences. Therefore today nothing can be changed in the essential prerequisites of the program of the National Socialist movement. The outlook for the future remains undisturbed and, unanimous in the shaping of the contents of its own program, it leans on the intrepid and is not thrown on the changing and swaying strength of the character of the masses.

. . . . . .

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2412-PS

I, FRED NIEBERGALL, 2nd Lt. 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2412-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-1335567

H1098-0104

H1098-0105

Translation of article
"What Do We Want in the Reichstag?"
(War Wollen Wir im Reichstag?)

published on pp. 71-73 of "Der Angriff - Aufsätze aus der Kampfzeit", a collection of newspaper articles by Dr. Joseph Goebbels, compiled from "Der Angriff" by Hans Schwarz van Berk, and published in book form by Central Publishing House of the NSDAP, Franz Eher Successor, Munich, in 1936.

What Do We Want in the Reichstag (Reich Parliament)?

After all, we are an anti-parliamentarian party, decline for good reasons the Weimar Constitution and the Republican institutions introduced by it, and are opponents of a counterfeit democracy, which treats intelligent and stupid, diligent and lazy people alike. We see in today's system of majority vote and organized irresponsibility the main cause for our steadily increasing decline. Now, what do we want in the Reichstag?

We go into the Reichstag to supply ourselves at the arsenal of arms of Democracy with its own weapons. We become Deputies of the Reichstag to paralyze the Weimar way of thinking with its own support. If the Democracy is so stupid as to give us free tickets and Deputies' pay for this sham "service," that is its own affair. We will not worry about it. Any lawful means will do if it serves to revolutionize today's conditions.

If we succeed in putting into the different parliaments from sixty to seventy agitators and organizers of our own party, then the State itself will fit out and pay our fighting machine in future. It is an attractive and tantalizing matter, worth while to be tested.

We will also become Parliamentarians on[redacted]e are in the Parliaments? Is that what we look like? Does any one of you believe that we are going to hobnob right away with Philipp Scheidemann once we march into the plenary meeting of that Illustrious House? Do you consider us such poor revolutionaries that you fear that we would forget our historic mission when faced with a thick red carpet and an air-conditioned dormitory?

Whoever goes into Parliament, perishes in it! Yes, if he goes into Parliament in order to become a Parliamentarian. But if he steps into it with the tenacious and dogged intention to continue, with his inborn recklessness, in this place also his unconditional fight against the increasing scoundrelization of our public life, then he will not become a Parliamentarian, but he will remain that what he is: a revolutionary.

Mussolini also went into Parliament. In spite of it, he marched into Rome with his Blackshirts not long afterwards. The Communists also are sitting in the Reichstag. Nobody will be so naive as to believe that they intend to collaborate objectively and positively. And moreover, if we do not succeed this time to gain Parliamentary immunity for our most dangerous men, then they will all sit behind iron bars sooner or later.

They will also sit behind iron bars if they are in possession of Parliamentary immunity? Certainly, namely at that instant in which democracy deems it necessary to get rid of Parliamentary immunity as an act of last desparate self-defense. Then, when Democracy is going to slap her own face, and openly sets up the terror of Capitalistic dictatorship, which she exercises normally only clandestinely. But until then much water will flow under the bridge, and in the meantime the champions of our belief, clothed in Parliamentary immunity, will have time and opportunity enough to so enlarge our battlefront that it will not be possible to silence us, and to throttle our public preaching without any noise, as Democracy presumably would like to see it.

Something else:

The agitators of our party are spending carfare of 600-800 marks monthly - in order to strengthen the Republic. Is it then not just and fair that the Republic should reimburse those traveling expenses through a free railroad pass?

Who of you votes for it that we further throw away our own money into the maw of the Jewish Dawes railroad, while the Republic really yearns to help us?

That is the start of a compromise? Do you believe that we would lay down our arms on account of a free railroad pass, we who stood in front of you a hundred and a thousand times in order to preach to you the belief in a new Germany, we who joyously threw our lives into the teeth of the Red mob dozens of times, we who fought through with you against all obstacles of official and unofficial character - do you believe that of us, who did not capitulate to any edict or any terror?

If we only wanted to become Deputies in Parliament, then we would not be National Socialists but presumably German Nationalists (Deutsch Nationale) or Social Democrats. They have to bestow the most seats in Parliament. One does not have to risk one's life for it, and even our brains still suffice for competition with the intellectual luminaries of that party.

We do not beg for votes. We demand conviction, devotion, passion. The vote is only an expedient for us as well as for you. We shall set foot on the marble floor of the Parliament with resounding steps, we shall carry in with us the revolutionary will of the broad masses of the people, out of which we grew, molded by fate and molding fate. We do not give a damn about cooperation in building a stinking dung heap! We come to clean out the dung.

One should not think that Parliamentarism will be our Damascus. We have shown our teeth to our enemies from the platforms of mass meetings and by the giant demonstrationsof our own brown guard. We shall show our teeth to them also in the leaden satiety of a Parliamentary plenary meeting.

We do not come either as friends or as neutrals. We come as enemies. Just like the wolf ravages a flock of sheep - thus do we come. Now you are no longer among yourselves. And thus we will not bring you unadulterated joy.

April 30, 1928.

H1098-0106

TRANSLATION OF DOCUMENT 2500-PS

CERTIFICATE OF TRANSLATION OF DOCUMENT 2500-PS

I, PAUL W. FREEDMAN, Staff Sergeant, United States Army, 33799122, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 2500-PS.

PAUL W. FREEDMAN,
S/Sgt., 33799122.

H1098-0107

PARTIAL TRANSLATION OF DOCUMENT 2511-PS
Office of U.S. Chief of Counsel

VOELKISCHER BEOBACHTER, REICHSAUSGABE
Munich, Wednesday, 24 Aug. 1932
page 1, Col. 1

My Comrades! Faced with this terrible blood sentence, I feel myself bound to you in unlimited faithfulness. Your liberty is from this moment a question of our honor. To fight against a Government under which such a thing could happen is our duty.

Signed: Adolf Hitler

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2511-PS

17 Nov. 1945

I, ERNST M. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true partial translation of Document No. 2511-PS.

ERNST M. COHN
Pfc
33925738

H1098-0108

H1098-0109

TRANSLATION OF EXTRACT OF DOCUMENT 2512-PS
OFFICE OF U. S. CHIEF OF COUNSEL

FRANKFURTER ZEITUNG
1st Morning Edition
26 Sept. 1931

HITLER'S TESTIMONY BEFORE THE COURT FOR HIGH TREASON

The witness, Adolf Hitler testified that he was born on 20 April 1889 in Braunau on the Inn, without citizenship.

President: You have been invited to testify at the request of Dr. Frank to give evidence that the NSDAP is striving to attain its goal by purely legal means, does not intend to take violent action against the Constitution or Government neither encourages its members or supporters to violent action against Constitution or Government or even to prepare for this, even in 1923. I ask you to describe in broad outline the

EVOLUTION OF THE NAZI PARTY

You are to consider this matter objectively, You are not here to defend the existence of the Party. No one has attacked you. You should confine your statements and facts to actual evidence. You will be obliged as a witness to swear this an oath. Then the President referred the witness to Art. 55 of the Penal Law whereby he might refuse to give evidence if he would as a result jeopardise himself or place himself in danger of criminal proceedings.

Hitler: I fought on the Westfront as a German soldier in the fall of 1918. At that time I already saw the collapse coming. This resulted because all political organizations were suffering from the same sickness. There are in general three phenomena which always reappear at such times, when the country is declining and which have slowly disintegrated the German people also. The non-utilization of our own national strength brought about by the general international attitude.

President: I believe that the witness is wandering from the point. Will you please describe the formation of the Party.

Hitler: I wanted first of all to depict the three main points, because they will show the type of struggle we are waging.

President: If you think this necessary, please proceed.

Hitler: The second factor is the setting aside of all authority and the third the pacifist spirit, the pandering to corrupt influences and the international feeling in general. It is obvious that the only kind of movement which could rise above this debâcle is one which makes a determined stand against these aspects. But this can only be a new movement in consideration of the fact that all the old Parties were bound in theory to fight for freedom, when in actual fact since 1918, mob rule has prevailed. We had to take up the struggle fanatically for everything German (Deutschtum) and if necessary defend this spirit; thus our two-fold organization. That is where our Protection Detachments (Schutzabteilungen) originated. They were exclusively

H1098-0110

for the purpose of protecting the Party propaganda, but not to fight against the State. I have been a soldier so long that I know it is impossible to allow a Party Organization to fight against the disciplined organization of the Armed Forces, or against the Freikorps and Police. When meetings are disturbed and disrupted, only then does the State step in and dissolve the gathering. But in this way those attempting the disturbance achieve their aim. In the beginning therefore it was only possible to carry on at all, if one took one's own steps against such a pantomime. That was the sole purpose of our Sturmabteilungen (S. A.). It is obvious that a movement of many thousands of people cannot be judged on the statements of individuals.

The President then drew the attention of the Court to:

the Happenings in Münich in 1923

Hitler: I don't know whether I may speak about them.

President: I believe the Public is fully informed today of these occurrences. You, witness were sentenced on 1 April 1924 to five years confinement in a fortress for high treason. Furthermore it was also said at the Party Rally (Parteitag) in Nürnberg in September 1923 that the Party was a fighting organization and that force would certainly be used.

Hitler: At that time, the S.A. were going to be changed into a military organization. I myself did not make them into soldiers, they were forced into being soldiers (Nicht ich habe damals die Abteilungen in die Kasernen hineingefuehrt sondern sie sind hineingefuehrt worden). The situation was such that the latent state of war between the Reich and Bavaria had to break out. But I asserted in 1925 that the happenings in 1923 must be completely forgotten and that the movement must be led back to its basis aims. I published a decree completely prohibiting arms for the S.A. On no account were they to assume a military character. Rather should all the S.A. serve exclusively to protect the movement from other Parties. All military exercises were forbidden and if a platoon was in possession of arms and one single one of them had a weapon in his possession without a license then these platoons were dissolved and their members expelled. I did everything to prevent the organization from assuming any kind of military character. This was particularly difficult at a time when one tried to equal the Fascists as best one could, and because of the inward pleasure it gives the German people, to carry a gun. I have always expressed the opinion that any attempt to replace the Reichswehr would be senseless. (In an excited voice) We are none of us interested in replacing the Reichswehr, I have only one wish, that the German Reich and the German people imbibe a new spirit.

As the witness became more and more excited, the President warned him to discontinue this public propaganda and to confine himself to actual evidence.

Hitler: Naturally a movement which aspires to take over the State will bring to the forefront the idea of being able to defend oneself.

We want to make sure once and for all that out of the present German Reichswehr a great German Peoples Army is formed.

H1098-0111

There are thousands of young men in the Reichswehr of the same opinion. But that does not mean the replacement (of the Reichswehr). Nevertheless we regard the realization of this conception as the first essential for the future of Germany.

President: You could hardly attempt to carry out these ideals, purely by legal means. There is something else inferred in your program even if it is only between the lines.

Hitler: It would not be possible to lead such a great organization as ours, if we wanted to issue secret directives in addition to our public announcements. It would also be impossible after it had been publicly announced that no military exercises were to be carried out, never theless to carry out these. On questions of this kind only my orders are valid. All my political opponents and the State can control my speeches and directives. But above all this my basic principle holds good: if a (party) regulation conflicts with the Law, it is not to be carried out. I am even now punishing the failure to comply with my orders. Countless Party Members have been expelled for this reason; among them Otto Strasser.

Otto Strasser actually toyed with the idea of revolution. I never declared myself in agreement with this.

The President then put statements to the debate, which had been made by the NSDAP author Reinhold Muchow. In these it was said that those countries with older constitutions had already had their revolution. But that Germany was on the threshold of a revolution and that this imminent revolution could only be National Socialist.

Hitler: I think Mr. Muchow only wanted to illustrate a general spiritual movement. But I may assure you that if the Nazi movement's struggle is successful, then there will be a Nazi Court of Law too, the November 1918 revolution will be atoned, and there'll be some heads chopped off. (Cheers from the gallery, the President asked that the applause be discontinued and said: We are in Court and are here to seriously dispense Justice).

President: (to the witness Hitler) What do you mean by the expression "German National Revolution".

Hitler: The expression "National Revolution" should alwsys be considered in a purely political sense. For the Nazis it is simply an uprising by the oppressed German people of today.

President: Do you mean independent movement, or one instigated by a Party?

Hitler: Naturally a movement will always represent an uprising, but it does not need to prepare it by illegal means. If we were to have two or three elections today, the Nazi movement would have the majority in the Reichstag and would prepare the Nazi revolution then.

President: You mean the spiritual (revolution)? And if we understand something different by this, you will say "We can't do anything about that."

H1098-0112

TRANSLATION OF EXTRACT OF DOCUMENT 2512-PS
(cont.)

Hitler; Germany is being strangled by Peace Treaties. All German legislation today is nothing more than an attempt to foist the Peace Treaty onto the German people. The Nazis do not consider the Treaty as a law, but as something forced upon us. We do not want future generations, who are completely innocent, to be encumbered by this. When we fight this with all the means at our disposal, then we are on the way to a revolution.

President. Even by illegal means?

Hitler: I will declare here and now, that when we have become powerful (gesiegt haben) then we will fight against the Treaty with all the means at our disposal, even those which are illegal from the world's point of view.

The President then referred to another phamphlet by Helmuth Brückner, in which it says "Reform is only a half measure, revolution goes all the way."

Hitler: The German National Peoples Party is an opposition party just as we are. But the German National Peoples Party is a reform party. The Nazi movement sees as the core of the State, that which is summed up in the term "people" (Volk). Therefore we cannot be compared with other Parties. But it cannot therefore be said, because we used other methods - therefore by force - Our propaganda is the spiritual revolutionizing of the German people. This change is at least as gigantic as that brought about by the Marxist ideology. It is a completely new world. Our movement has no need of force. The time will come when the German nation will get to know our ideas. Then 35 million Germans will stand behind me. Whether we take over the Government today or form an opposition is immaterial to us. The next election will increase the number of Nazis in the Reichstag from 107 - 200. There will come a time when people will be glad that there is such a movement, the members of which are now trembling before the Court. Our opponents are interested in representing our movement as anti-state, because they know our goal is to be attained by legal means. Nevertheless they realize that our movement must lead to a complete change of State.

President: What relation does this bear to the so-called

THIRD REICH?

Hitler: We honor the memory of the old German Empire, we have fought for it. But this State had an inner weakness from the very beginning. Out of it came the present Germany. It is the embodiment of Democracy and Internationalism. This second State wants toleave the German people no men behind, who will defend their rights before the world. We hope, therefore, for a new Reich in which all institutions - beginning with the organisation of the State itself down to those which serve to maintain the national life (Volkstums) - will lead the people towards a splendid future. It is only natural that this Third Reich will quarrel with the decadent forces of today. Consequently the attempts by our opponents to designate our methods as illegal and to attribute to us a trend which we do not have.. He who maintains that isolated quotations are proof of a point of view, which he cannot construe from regulations and Party orders, will find a thousand possibilities for this.

H1098-0113

TRANSLATION OF EXTRACT OF DOCUMENT 2512-PS
(cont.)

I have in our movement countless millions of people, whose hearts bleed for Germany. These young men, themselves fighters, are pushed about, come before the Court, although they had only the best intentions. They are struck down and hounded by the "red" mobs. That these people make statements, which are not in accordance with the spirit of the movement, is understandable because of their youth.

President: How do you imagine the setting up of a Third Reich?

Hitler: This term only describes the besis of the struggle but not the objective. We will enter the legal organizations and will make our Party a decisive factor in this way. But when we do possess constitutional rights then we will form the State in the manner which we consider to be the right one.

Presiden: This too by constitutional means?

Hitler: Yes.

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CERTIFICATE OF TRANSLATION
OF EXTRACT OF DOCUMENT
NO. 2512-PS

17 November 1945

I, EVELYN GLAZIER, P/O, W.R.N.S., 37371, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Extract of Document 2512-PS.

EVELYN GLAZIER
P/O, W.R.N.S.
37371

PARTIAL TRANSLATION OF DOCUMENT 2513-PS
Office of U.S. Chief of Counsel

THE NATIONAL SOCIALIST WORKERS PARTY AS AN ASSOCIATION HOSTILE TO THE STATE AND TO THE REPUBLICAN FORM OF GOVERNMENT AND GUILTY OF TREASONABLE ACTIVITY.

DIE NATIONALSOZIALISTISCHE DEUTSCHE ARBEITERPARTEI ALS STAATS - UND REPUBLIKFEINDLICHE HOCHVERRÄTERISCHE VERBINDUNG.

Excerpts from a confidential report of the Police Division, Prussian Ministry of the Interior of 1930.
p. 47
On October 7, 1929, National Socialist District Leader Terboven of Essen announced in a meeting:

This weakness is especially known to Severing, who symbolizes the present State, and he intends to render a service to the State, which is breathing its last, but this too will no longer save the present corrupt parliamentarian system. . . But I give such a dictatorship only four weeks. Then the people will awaken, then the National Socialists will come to power, and then there will not be enough lamp posts in Germany . . .

The Bolshevik government is sitting on a volcano, and the German government is in the same situation. The National Socialists will do everything to further this explosion. . . When in the future we call the present representatives of the government to account, they will not be able to defend their actions as representatives of a parliamentarian system. They will have to answer with their heads to the German people, and particularly to the National Socialists, for their actions in the past. If this struggle continues with growing intensity the ward-heelers of the Marxist movement will hit the ceiling and the National Socialists will see that they won't get back on the ground on their feet . . . . . .

The National Socialists will march into the new Reichstag with thirty members; then there will be black eyes every day in this Reichstag; thus this corrupt parliamentarian system will be further discredited; disorder and chaos will set in, and then the National Socialists will judge the moment to have arrived in which they are to seize the political power.

p. 48.

On October 18, 1929, Reichstag deputy and present Thuringian Minister of the Interior Doctor Frick discussed the fight against the Young Plan in a meeting in Pyritz:

This fateful struggle will first be taken up with the ballot, but this cannot continue indefinitely, for history has taught us that in a battle, blood must be shed, and iron broken. The ballot is the beginning of this fateful struggle.

We are determined to promulgate by force that which we preach. Just as Mussolini exterminated the Marxists in Italy, so must we also succeed in accomplishing the same through dictatorship and terror.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2513-PS

Nov. 17, 1945

I, LUDWIG HARTMAN, T/4, ASN 37446052, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct partial translation of Document No. 2513-PS.

LUDWIG HARTMAN,
T/4, ASN 37446052

H1098-0114

H1098-0115

PARTIAL TRANSLATION OF DOCUMENT 2514-PS
Office of U. S. Chief of Counsel

STATISTICAL YEARBOOK OF THE GERMAN REICH
1933
STATISTISCHES JAHRBUCH FUR DAS DEUTSCHE REICH 1933

Verlag von Reimar Hobbing in Berlin SW 61

XXI. Elections and Plebiscites
1. Elections to the German Reichstag from 1919 to 1933

Qualified Voters Votes Cast Designation of Party	Result of Elections to the Reichstag							
	To the National Assembly 19 Jan. 1919	I Election Period 1920/22	II Election Period 4 May '24	III Election Period 7 Dec.'24	IV Election Period 20 May '28	V Election Period 14 Sep. '30	VI Election Period 31 Jul.'32	VII Election Period 6 Nov. '32	VIII Election Period 5 Mar. '33
TOTAL NUMBER OF POPULATION AND VOTERS BY THOUSANDS									
Population of last census	63,052,0	59,198,8	59,198,8	59,198,8	62,410,6	62,410,6	62,410,6	62,410,6	62,410,6
Qualified Voters	36,766,5	35,949,8	38,375,0	38,987,3	41,224,7	42,957,7	44,226,8	44,373,7	44,685,8
NUMBER OF VOTES CAST IN THOUSANDS									
Valid votes	30,400,3	28,196,3	29,281,8	30,290,1	30,753,3	34,970,9	36,882,4	35,471,8	39,343,3
% of voters	82,68	78,43	76,30	77,69	74,60	81,41	83,39	79,93	88,04
Invalid votes	124,5	267,2	427,6	414,9	412,5	254,9	279,7	287,3	311,7
% of voters	0,34	0,74	1,11	1,06	1,00	0,59	0,63	0,64	0,69
THE VALID VOTES - IN THOUSANDS - WERE CAST FOR MEMBERS OF THE FOLLOWING PARTIES									
German National People's Party	3,121,5	4,249,1	5,696,5	6,205,8	4,381,6	2,458,3	2,177,4	2,959,0	3,136,8
Nationalsocialist German Labor Party (Hitler Movement)	-	-	1,918,3	907,3	810,1	6,409,6	13,745,8	11,737,0	17,277,2
German People's Party	1,345,6	3,919,4	2,694,4	3,049,1	2,679,7	1,578,2	436,0	661,8	432,3
Center Party	5,980,2	3,845,0	3,914,4	4,118,9	3,712,2	4,127,9	4,589,3	4,230,6	4,424,9
German State's Party	5,641,8	2,333,7	1,655,1	1,919,8	1,505,7	1,322,4	371,8	336,5	334,2

H1098-0116

Social Democratic Party	11,509,1	6,104,4)							
			) 6,008,9	7,881,0	9,153,0	8,577,7	7,959,7	7,248,0	7,181,6
Independent Social Democratic Party	2,317,3	5,046,8)							
Communist Party	-	589,5	3,693,3	2,709,1	3,264,8	4,592,1	5,282,6	5,980,2	4,848,1
Bavarian People's Party	-	1,238,6	946,7	1,134,0	945,6	1,059,1	1,192,7	1,094,6	1,073,6
German Countryfolk	-	-	-	-	581,8	1,108,7	90,6	46,4	-
German Farmers' Party	-	-	-	-	481,3	339,6	137,1	149,0	114,0
Country League	-	-	574,9	449,4	199,5	194,0	96,9	105,2	83,8
Reichs Party of the German Middleclass (Economy Party)	275,1	218,6	693,6	1,005,4	1,397,1	1,362,4	146,9	110,3	-
German Hannoverian Party	77,2	319,1	319,8	862,7	195,6	144,3	46,9	64,0	47,7
Other Parties	132,5	332,1	1,165,9	597,6	1,455,3	1,696,6	608,7	749,2	389,1

COMPOSITION OF THE REICHSTAG AT THE BEGINNING OF THE LEGISLATIVE PERIODS
THE REPRESENTATIVES ACCORDING TO PARTY MEMBERSHIP

Total number of representatives	421	459	472	493	491	577	608	584	647
German National People's Party	44	71	95	103	73	41	37	52	52
Nationalsocialist German Labor Party (Hitler Movement)	-	-	32	14	12	107	230	196	288
German People's Party	19	65	45	51	45	30	7	11	2
Center Party	91	64	65	69	62	68	75	70	74
German State's Party	75	39	28	32	25	20	4	2	5
Social Democratic Party	163	102)							
			) 100	131	153	143	133	121	120
Independent Social Democratic Party	22	84)							
Communist Party	-	4	62	45	54	77	89	100	81
Bavarian People's Party	-	21	16	19	16	19	22	20	18
German Countryfolk	-	-	-	-	10	19	1	-	-

H1098-0117

German Farmers' Party	-	-	-	-	8	6	2	3	2
Country League	-	-	10	8	3	3	2	2	1
Reichs Party of the German Middleclass (Economy Party)	4	4	10	17	23	23	2	1	-
German Hannoverian Party	1	5	5	4	3	3	-	1	-
Other Parties	2	-	4	-	4	18	4	5	4

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PARTIAL TRANSLATION OF DOCUMENT 2532-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Gerd Ruehle
Das Dritte Reich (The Third Reich)
Die Kampfjahre 1918-1933
publ. Hummelverlag, Berlin

P. 103, line 29
p. 106, 4th para

When von Kahr gave a speech on the evening of 8 November 1923 in Munich in the Great Hall of the Bürgerbraukeller and all "Bavarian Big Shots" were assembled there, Adolf Hitler appeared, created order with a shot of his pistol into the ceiling of the room and declared the National Revolution and Dictatorship! At the same time Adolf Hitler was supported by the association of fighting groups - the SA, the Bund Oberland and the Reichskriegsflagge who stood ready for action and assembled in Munich. Several high Government officials (ministers) and several Marxist Munich city officials were arrested. Kahr, Lossow, and the Colonel of Police, von Seisser, declared their willingness to cooperate. On the same evening, the "Provisional National Government" was established:

Reich Chancellor	Adolf Hitler
Leader of the National Army-to-be	Gen. von Ludendorff
Reich Minister of War	von Lossow
Reich Minister of Police	von Seisser
Reich Finance Minister	Feder

At the same time Kahr was appointed as State Administrator for Bavaria; Pohner as Bavarian Prime Minister, and Dr. Frick as Munich Police President.

The infantry school, under the former leader of the Freikorps Rossbach and Lt. Robert Wagner (the present governor and Gauleiter of Baden) placed himself unqualifiedly at the disposition of Adolf Hitler. The Reichskriegsflagge (under the leadership of Ernst Rohm, who betrayed the Fuehrer in 1934) occupied the Bavarian Ministry of War (its banner was carried by today's Reich leader of the SS, Himmler, Chief of the Secret State Police, Gestapo). The Hitler "shock troops", a small elite group from the SA under Party member Berchtold, occupied the building of the Social Democratic "Munich Post" and destroyed its machines.

The Munich population applauded with great enthusiasm. The nightmare was over at last.

In the meantime, Kahr, Lossow and Seisser, who had given Ludendorff their word of honor left the place of the proclomation. Now on the same night, they organized the anihilation of the National Revolution! Just as on the 9th of November 1918, Marxism had given Germany a stab in the back, so the reaction gave the nation a stab in the back on the 9th of November 1923. On the night of 8 November, Kahr, Lossow and Seisser alerted the police, pulled troops into Munich and declared through radio addresses and press releases that their agreement in the Bürgerbraukeller was "forced upon them at the point of a pistol" and thus invalid. (At the same time, a proclomation came from the "Constitutional Bavarian Government" in flight toward Regensburg against the "Prussian Ludendorff" which was signed by Minister of Culture, Dr. Matt). Frick, Pohner and Major Huhnlein (the present head of the National Socialist Motor Corps) were arrested in the Munich Police Headquarters. Adolf Hitler was left without communication all through the night. Emmissaries who were sent by him did not return - they were imprisoned.

H1098-0118

Hitler was without the least intelligence until the afternoon of the next day. Naturally, in the meantime, the betrayal of Kahr had become known. Of the available alternatives - either to carry on the fight outside of Munich and to withdraw at first to Rosenheim, or the march through Munich into the interior of the city - Adolf Hitler chose the last in order to win public opinion and to ascertain how Kahr, Lossow and Seisser would react. One could not imagine that they would be so stupid as to fire on these insurgent people. The march began - Adolf Hitler, Ludendorff and their subordinates at the front. Patrols of police retreated before the parade. At the Marienplatz the parade was greeted by jubilant masses of people. At the Feldherrnhalle it was stopped by a strong cordon of State Police. In the later trials (see part 12), Adolf Hitler described the succeeding moments: "There was a carbine shot and immediately thereafter a salvo, Scheubner fell forward and pulled me with him; I felt as if I had been hit. I tried to raise myself again, the shooting stopped, there were only dead around me".

The murderous fire of the reaction against the National Socialist demonstration parade at the Feldherrnhalle drained the blood of the National Revolution. 14 dead National Socialists and many wounded lie before the Feldherrnhalle, among them badly wounded the leader of the SA, Hermann Goering. As a result of the counter defense of the attacked National Socialists, the State Police also suffered 4 dead. Almost the same time during the attack on the War Ministry two men, members of the Reichskriegsflagge, were shot by troops which surrounded the building. The National Socialists dead on the 9th of November 1923 were:

Felix Allfarth, Merchant
Andreas Bauriedl, Hat maker
Theodor Casella, Bank clerk
Wilhelm Ehrlich, bank clerk
Martin Faust, bank clerk
Anton Hechenberger, locksmith
Oskar Körner, merchant
Karl Kuhn, waiter
Karl Laforce, engineering student
Kurt Neubauer, servant
Claus von Pape, merchant
Theodor von der Pfordten, Councilor of the highest State Court of Bavaria
Johann Rickmers, retired cavalry captain
Max Erwin von Scheubner-Richter, Engineer
Lorenz Ritter von Stransky, Engineer
Wilhelm Wolf, merchant

Adolf Hitler was not hurt in the murderous gun play. His faithful companion, the badly wounded Ulrich Graf, covered him. The deadly hit Scheubner-Richter pulled him to the ground, where he sustained a serious shoulder wound which put him out of combat. He is brought to the house of Party member Hanifstaengl in Uffing (on the Staffelstee) by auto.

Already on the preceding night, Kahr, who liked to call himself publicly "Governor of the Monarchy" had proclaimed the dissolution of the Nazi Party, the Reichskriegsflagge and the Bund Oberland, as well as authorized a prohibition of the Völkischer Beobachter. The offices of the NSDAP are closed, Party property robbed and most of the National Socialist leaders (among them Bruckner, Frick, Amann, Streicher, Huhnlein, Dietrich Eckart) arrested as far as they had not - with the approval of the Fuehrer - fled across the Austrian border, as e.g. the seriously wounded Goering. On the 11th of November a large police detachment appears in Uffing and arrests Adolf Hitler.

H1098-0119

Rosenberg, Amann and Drexler illegally attempted to hold together the remainder of the dissolved National Socialist Party. Major Buch (the present head of the Party Court) undertook the same function in regard to the S.A.

(On the 23rd of November 1923, the National Socialist Party was forbidden throughout the Reich by the Chief of the Army Leadership, General von Seeckt. On 9 November he had been appointed to the Command of the Army with full executive powers in the Reich.

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H1098-0121

Page 107, par. 3 The Hitler trial and prohibition years

The Hitler trial

In spring of 1924 Hitler was dragged to court. In the famous "Hitler trial" (26 February to 1 April 1924) the following men were indicted besides him before the People's Court at Munich I: General Ludendorff, Dr. Frick, Chief Counsellor at Court Pöhner, Lt. Col. Kriekel as military leader of the "Kampfbund", 1st Lt. Brückner (today the Adjutant of the Führer) as leader of the SA regiment Munich, 2nd Lt. Wagner (today governor and district leader of Baden), Dr. Weber as leader of the "Oberland Bund", Capt. Röhm as leader of the Reichskriegsflagge, 1st Lt. Pernet (ladendorff's stepson). In this dramatic trial which made all of Germany listen, the "defendant" Adolf Hitler became in reality the accuser, the accuser against the "state" of the November treachery, the accuser also against the treacherous, particularistic - mundane reaction, represented by the "witnesses" Kahr, Lossow and Seisser, whose peculiar wrong attitude came clearly to light the last few weeks and months before the "Hitler-putach". We presented already a section of the trial proceedings against Adolf Hitler concerning this point in the last chapter Chapter 11). The tremendous arguments between national socialism on one side and the white-blue Bavarian reaction and the state of Weimar on the other side gave the
page 108 trial its characteristic mark. Adolf Hitler was doubtless the moral victor when he made his concluding speech on 27 March 1924, after weeks of trial proceedings.

His statements about power and justice, the November fall (November-sturz), Bismarck's constitutional conflicts and other historical examples made the inner justification of the whole court proceedings appear in a very doubtful light. This description of the German development since 1918 and of the terrible conditions, in all spheres of life, into which the German nation had gotten through the fault of its rulers, proved that this condition was not at all a real state, was no authority worthwhile protecting - that, on the contrary, it was national duty to remove this condition. To do this duty and to save Germany from destruction was the only motive and the only airm of the uprising of 9 November 1923. But also for formal legal reasons this "indictment for high treason" was more than questionable - since the real men of the so-called - and permanent - "state coup" (Kahr, Lassow and Seisser) were not - the accused. Adolf Hitler proved clearly in his concluding words that it was not he who put these men in a difficult position ("Zwangslage"), (as was argued), but they had done that to the national socialistic movement (as can be seen clearly from the incidents described in the preceding chapter). At the end Adolf Hitler emphasized that the national socialists fallen on 9 November 1923 had died for the deliverance of the fatherland and that the hour would come when the great decision will yet be made. He finished with the proud sentence:

"May you pronounce us guilty a thousand times, the Goddess of the eternal court of history will smilingly tear up the accusation of the prosecutor and the sentence of the court; because she pronounces us free."

On April 1, 1924 the sentence was announced:

Adolf Hitler, Kriekel, Pöhner, and Weber were each sentenced for high treason to 5 years of confinement in a fortress (whereby they were promised probation after serving 6 months). Frick, Brückner, Wagner, Röhm and Pernet were sentenced for "aiding to high treason" to 1 year and 3 months confinement in a fortress with immediate probation. Ludendorff was pronounced not guilty.

On the very same day Adolf Hitler was transferred to the fortress
page 109 Landsberg. In special processes still other national socialistic leaders were sentenced to long prison terms also for high treason, as Max Amann, Julius Streicher and the present deputy of the Führer, Rudolf Hess. Also forty members of the shock troops ("Stosstrupp Hitler") were sentenced on 28 April 1924, among them the present chief mayor of Munich Karl Fiehler and Julius Schaub, for years the constant companion of the Führer.

(page 134, line 3) ..... While Dr. Goebbels is speaking on 11 February 1927 in the Pharus halls before an overwhelming communistic majority, when the communists begin to attack the few national socialists - then the hall guards, the Berlin SA under party member Daluege, beat the communists into flight in a tough, bitter fight. Although they suffer a great number of seriously and slightly injured, the national socialists are victorious.

(page 160, paragraph 4) On 28 March 1929 the SA reserves were founded for party members over 40 years of age. On 1 April the so-called "commissaries" ("Zeugmeistereien") were created which should serve the SA with the supply of reasonably-priced and good uniforms (At this occasion it has to be mentioned that every SA man paid for his uniform with his own funds, and besides also made other financial sacrifices for the movement, most of the time had to pay his own fare when he had to travel by train or truck to a distant meeting place, etc. -- while the foaming Jewish press of all shades always and always again made the infamous lie that the SA men are "paid" by the Nazi Party and this way tried to degrade them as mercenaries. It was apparent, to be sure, that it was incomprehensible to such low characters as these slanderous news reporters that one can do a job out of idealism without pay, thereby risking life and existence -- and on top of this makes constantly material sacrifices). The unshakable national socialistic idealism remained, however, stronger than the powers of the ruling mammonism.

Page 165, paragraph 2) The NSDAP advanced in a broad front - comprising city and country, worker and bourgeois, youth and old age. And if people in the opposition believed to be able to strike a decisive blow at the recruiting power of the national socialists by uniform prohibition, they were very much mistaken. Bavaria made the beginning. Then followed a uniform prohibition in Berlin on 2 June 1930, after that, on 11 June, a brown-shirt prohibition in all of Prussia. The SA marched in white shirts -- if this was prohibited, then in "robber's uniform" ("Raeuberzivil") -- but they marched. And always more marched with them. On 3 July Prussia prohibited its officials to be members of the NSDAP and communist party of Germany.

(page 167, paragraph 3) The legal way which Adolf Hitler had taken at the new founding of the party in 1925, and which he had followed in unchangeable consequence, proved to be the best weapon against the November system.

The legality of the NSDAP was strengthened by Adolf Hitler by his oath before the state court in Leipzig on 25 September 1930. On 23 September the famous "trial of the Ulm officers of the German armed forces (Reichswehr)" (among them the present SA Gruppenfuehrer, party member Ludin) began here for "forming of national socialistic cells" in which Hitler had been called as a witness by the defonse councilor party member Frank.

In his speech the Fuhrer declared, among other things:

> "We are not interested in destroying the German armed forces (Reichswehr). I would consider this the greatest crime possible .....I have only the desire that the army as well as the German nation should accept the new spirit, our spirit."

The statement of the Fuhrer before the state court that the NSDAP will win the victory with only legal means, but that - when the national socialistic victory would be won - a court of justice would come which would find the just atonement for the November treachery -- and that also "heads will roll", brought forth in the Jewish press once again loud consternation and indignation.

(page 194, line 3) But the NSDAP marched on, - in spite of the hatred of the enemies and the rage of the press which on 12 September 1931 once again found fitting occasion to get terribly excited, - when it came to clashes (on the day of the Jewish New Year) between SA men and Jews on the Berlin Kurfürstendamm. In the following trial, known as "Kurfüstendamm trial", several SA leaders and SA men were sentenced to severe imprisonment for having slapped some Jews in the face.

H1098-0122

page 206, line 3) And a new blow was struck against the NSDAP by the system: After all house searches did not reveal sufficient material against the SA, Severing finally and inspite of it succeeded to get the Reich minister of the interior Groener to agree on the disbanding of the SA and SS, since these represented a "private army" and a constant threat. On 13 April 1932 an emergency decree is issued "for the maintenance of state authority" of which paragraph 1 reads as follows:

"All para-military organizations of the NSDAP, especially the storm troops (SA), the elite guard (SS), with all staffs belonging thereto and other institutions, including the SA-observers, SA-reserves, motorized storm troops, cavalry storm troops, aviation corps, motor corps, medical corps, officer training schools, the SA-barracks and the commissaries (Zeugmeistereien) will be dissolved effective at once."

In the argument for this decree it says among other things:

"The named organizations represent a private army, a party army, although partially without arms. Hundreds of thousands are formed into shock troops bound by absolute obedience to commands, and partially put in barracks-like quarters, which can and have acted like military or police teams. Even without heavy weapons such groups can commit acts of biolence at any time and put parts of the population under the pressure of force. Already the existence of such a fighting organization which forms a state within a state is a source of constant alarm for the peaceful citizens."

On instruction of Adolf Hitler, the disbandment was executed in a disciplinary manner, the SA and SS men were asked in a proclamation by the Fuhrer to put themselves entirely at the disposal of the political organizations and to perform their duty there in order to bring the coming election fights for the dict to a victorious end.

The SA had disappeared from the street, sure, but to believe that now the national socialist movement - the "state in the state" - could still be annihilated, was a ghastly mistake. Because the development ripened already toward a decision.

(page 220, line 13 from the bottom) The government was helpless against the civil war in Germany which took on increasingly frightful shapes. On 10 July 1932 again bloody surprise attacks and street battles occurred in all parts of the Reich -- this day alone cost 18 dead and about 200 seriously injured! The most extensive street battles developed on this day in OHLAU (Silesia) where the Reich Canner attacked the national socialists in manifold majority and according to plan and where even the German armed forces (Reichswehr) had to be committed. Still more terrifying was the so-called "ALTONA's bloody Sunday", which was a week later - on the 17 July 1932 - : The communists attacked a propaganda march of the SA in Altona in an extensive fire fight from ambush. The 17th of July brought
page also in other parts of Germany again heavy fights. Its casualty list
221 is still bigger and shows 19 dead and 285 heavy casualties. -- The national socialists had during the time of the abolition of the uniform prohibition (17 June) until the end of July 1932 alone 32 dead and thousands of injured! --- After the Altona bloody Sunday the government finally saw itself compelled to do something.

(page 226, last paragraph) The rage of the opponents over the national socialistic victory showed itself in wild terror acts against which the national socialists defended themselves. On 1 August 1932 SA storm leader
page Axel Schaffeld who was politically active in the student corps was shot
227 in Brunswick. However, the majority of the newspapers lamented about the "national-socialistic terror" - asusual - and the Prussian Reich Commisar Dr. Bracht declared:

"The state government will not shy from drastic measures to fulfill its duties toward the peaceful citizen and to force the public peace which our country needs."

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And when party member Hermann Goering demanded from Bracht decisive measures against the red terror gans on 3 August 1932.- considering the increasing number of murders of national socialists - the Reich cabinet replied on 9 August with the publication of three new emergency decrees in which the "public peace" ("Burgfriede") (already ordered for the time after the election) was prolonged from the 12th to the 31st of August, special courts were established against "political acts of violence", punishments of hard labor and even death were threatened.

The new law was immediately applied - against national socialists! Five national socialists were sentenced to death in the so-called Potempa trial in Beuthen on 22 August 1932. A wave of rebellion swept through the country and Adolf Hitler made the affair of his comrades his own and challenged the government to a most vigorous fight (On 2 September 1932 the death sentence was converted into hard labor for life, and in 1933 - after the taking over of the power by the national socialists - the condemned were set free again).

19 November 1945

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2532-PS 20 November 1945

I, Ernst M. Cohn, Pfc 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2532-PS.

ERNST M. COHN
Pfc, 33925738

H1098-0124

PARTIAL TRANSLATION OF DOCUMENT 2532a PS
OFFICE OF U.S. CHIEF OF COUNSEL

THE THIRD REICH

Documentary description of the Construction of the Nation.

by Gerd Ruehle

with assistance of the German Reichsarchiv

The Years of Fighting
1918-1933

Publisher and Distributor: Hans Eugen Hummel, Berlin NW7 (1936 ?)

Gerd Rühle

Das Dritte Reich

Dokumentarische Darstellung des Aufbaues der Nation

Mit Unterstützung des Deutschen Reichsarchivs

Die Kampfjahre

1918-1933

Verlag und Versand für Deutsche Literatur

Hans Eugen Hummel

Berlin NW 7

H1098-0125

PARTIAL TRANSLATION OF DOCUMENT 2532a PS
Continued

EXCERPTS p. 126

The Resurrected NSDAP

(Para 2) On the 26th of February 1925 the "Voelkische Beobachter" appeared for the first time after the ban. In this edition Adolf Hitler published the "Basic Outlines for the re-establishemnt of the National Socialist German Workers Party".

(Para 3) On the 27th of February, Hitler speaks in Munich, for the first time after his confinement in a fortress, at a meeting in the Buergerbraeukeller which had been the scene of the proclamation of the national revolution of the 9th of November 1923, and founds again the National Socialist German Workers Party.

(Para 5) The Fuehrer anew starts to build up the machinery of the NSDAP. He is assisted by the old fighters and organizers, Party Comrade Philipp Bouhler as acting Reich Director (Reichsgeschaeftsfuehrer) Party Comrade Franz Xaver Schwarz as Reich Treasurer and by Party Comrade Max Amann as Manager of the Party Publication bureau. .....

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2532a PS

21 November 1945

I, S/SGT L. DAVENPORT, 32496587, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2532a PS.

L. DAVENPORT
S/sgt, 32496587

H1098-0126

H1098-0127

TRANSLATION OF DOCUMENT NO. 2573 PS
OFFICE OF U.S.CHIEF OF COUNSEL

Reichsausgabe der
Frankfurter Zeitung
Wednesday, 1 March 1933, no.160-162, p.II, cols.2 and 3

Prohibition of the communist and social democratic party press.- Protective Custod of the communist section of the Reichstag. The auxiliary police is called in.

Berlin, 28 Febuary (Wolff.)

The official Prussian Press Service announces:

- -

The Reich commissar in the Prussian ministry of the interior, Reich minister Goering, has opposed this terrible danger with the strictest measures. He will maintain the authority of the state under all circumstances and by all means. It can be stated that the first attack of the criminal elements has, at present, been repulsed.

For the protection of the public safety all public buildings and vital installations were put under police protection already Monday evening. Special police cars constantly patrol the city districts which are primorily endangered. The whole civil and criminal police in Prussia has been put in the highest state of readiness. The auxiliary police has been called.

Arrest has been ordered for two leading communist members of the Reichstag because of strong suspicion of the deed. The other representatives and functionaries of the communist party are being taken into protective custody. The communist papers, pamphlets, and posters are prohibited for four weeks in all of Prussia. All papers, journals, pamphlets, and posters of the social democratic party are prohibited for two weeks, since the arsonist of the Reichstag has, in his confession, admitted connection with the social democratic party. By this confession the communist -social democrat front has become an open fact.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2573 PS

15 November 1945

I, Pfc ERNST M.COHN, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2573 PS.

Pfc ERNST M.COHN
33925738

H1098-0128

PARTIAL TRANSLATION OF DOCUMENT NO. 2579-PS
OF FICE OF U.S.CHIEF OF COUNSEL

Reichsausgabe der
Frankfurter Zeitung

Fridy, 24 March 1933, No. 223-225, p.1

The law of Empowering Passed.
(Private telegram of the "Frankfurter Zeitung").
Berlin, 23 March.

Today, about1945 hours, the Reichstag at the end of its second session accepted with 441 votes against 94 social democratic votes the empowering law submitted by the government parties. President Göring stated amidst stormy applause from the right that the law was thus passed by the 2/3 majority required for the constitutional change.

The Speech of the Chancellor.

RK, Berlin, 23 March.

- -

But before all this happened, Mr.WELS spoke for the social democratic party which does not agree with the empowering law. His veiled voice sounded very serious. Repressed pathos, moral justification, moral appeal. A speech in the most difficult situation imaginable-, decent, brave, at times even slightly aggressive. One felt the whole misfortune which has today come over this well-meaning but luckless party. The social democrats applauded, the remainder of the house was silent. The Reich chancellor made notes. The social democratic leader demanded justice and humaneness-, his motto was "defenseless is not to be without honor".

During the last word of Wel's speech the chancellor jumped up and hurried to the rostrum. A thunderstorm burst over the social democratic party, the like of which we have never witnessed in all these years in the Reichstag. How Hitler can debate! Without trouble he found the arguments to talk down the opponent amidst the stormy applause of the brown shirts. We beat you with your own weapons, - and furthermore, what has been done to you so far? That was the tone of his reply. Sparks flew from each of his sentences. He who witnessed that knows, if he did not know already, why Hitler is the victor of 1933. The final word of Hitler, however, was not implacable. Of course, Mr. Goering later took care that this should not be misunderstood by optimists.

It was not particularly noble of the national socialist press to create the impression that the parties should be forced by intimidation to pass the law. And why the massing in front of the KROLL-opera, why the declaiming chorus?

- -

The Reichstag Proceedings.
(Private telegram of the "Frankfurter Zeitung")
Berlin, 23 March

Before voting on the social democratic proposal to dismiss from arrest nine members of the social democratic faction, deputy Dr. BELL (Zentrum) declared that the center party had asked in the committee that the deputies in protective custody be dismissed, but not those in penal custody. This proposal was, unfortunately, supported only by the Bavarian People's Party (Bayr.Volkspartei), while all other parties, incl. the social democrats, had refused it. Unter these conditions the center party now would have to refrain from voting during the vote on the main proposal. The proposal to dismiss the social democrat deputies from arrest was declined with the votes of the government block and there being no voting by the Catholic parties.

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H1098-0129

PARTIAL TRANSLATION OF DOCUMENT NO. 2579-PS.
(Cont'd)

Severing arrested.
(Private telegram of the "Frankfurter Zeitung").
Berlin, 23 March.

When the social democrat deputy SEVERING wanted to enter the Reichstag this afternoon before the beginning of the full session, he was arrested by employees of section I of the criminal police and, it is said, was taken at first to the Prussian ministry of the interior for questioning. As the "T.U." has heard, he is accused of having misused police money contributions for political propaganda purposes of the former Prussian government.

Also arrested was the social democrat Reichstag deputy Dr. LEBER from Lübeck, also just as he was about to enter the Reichstag.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2579-PS

24 November 1945.

I, ERNST M. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct partial translation of Document No. 2579-PS.

ERNST M. COHN
Pfc, 33925738.

H1098-0130

PARTIAL TRANSLATION OF DOCUMENT NO. 2632-PS
OFFICE OF U S CHIEF OF COUNSEL

Extracts from:

Die Nationalsozialistische Revolution 1933
(The National Socialist Revolution 1933)

Edited by
Dr. Axel Friedrichs

1935
Junker and Dunnhaupt Publishers, Berlin

Extract from page 58.

"The political parties have finally been abolished. This is a historical occurrence the meaning and implication of which one cannot yet be fully conscious of. Now we must set aside the last vestige of democracy, particularly the methods of voting and making majority decisions which to-day are used in local governments, in economic organizations and in labor boards; in its place we must validate the responsibility of the individual. The achievement of external power must be followed by the inner education of the people....."

Extract from page 59.

"The Party has become the State. All Power lies with the Reich Authorities. ....."

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2632-PS

I, Gerard Schaefer, 2d Lt, Inf, O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpts from Document No. 2632-PS.

Gerard Schaefer, O-1332102
2d Lt, Inf

PARTIAL TRANSLATION OF DOCUMENT 2633-PS
Office of U.S. Chief of Counsel

Huber, Verfassungsrecht des Grossdeutschen Reiches
(Constitutional Law of the Greater German Reich) 1939

Excerpt from page 31:

The parliamentary battle of the NSDAP had the single purpose of destroying the parliamentary system from within through its own methods. It was necessary above all to make formal use of the possibilities of the party-state system but to refuse real co-operation and thereby to render the parliamentary system, which is by nature dependent upon the responsible cooperation of the opposition, incapable of action.

- -

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2633-PS

17 Nov. 1945

I, T. W. SCHONFELD, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct partial translation of Document No. 2633-PS.

T. W. SCHONFELD

H1098-0131

PARTIAL TRANSLATION OF DOCUMENT 2634-PS
Office of U.S. Chief of Counsel.

VOELKISCHER BEOBACHTER, REICHSAUSGABE,
26 August 1932, page 2, Col. 1

Goering to the Condemned

Berlin, 24 Aug.

* *

In nameless embitterment and rage against the terror sentence which has struck you, I promise you, My Comrades, that our whole fight from now on will be for your freedom. You are no murderers. You have defended the life and the honor of your Comrades. I send to your families today 1,000 Marks which I have received from your friends. Be courageous. More than 14,000,000 of the best Germans have made your interest their own.

- - - -

PARTIAL TRANSLATION OF DOCUMENT 2651-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Völkischer Beobachter, 14 March 1933

Excerpt from statement by FRICK

When the Reichstag meets the 21st of March, the Communists will be prevented by urgent labor elsewhere from participating in the session. In concentration camps they will be re-educated for productive work. We will know how to render harmless permanently sub-humans who don't want to be re-educated.

- - - - - - - - - - - - - - -

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2651-PS

22 November 1945

I, GERARD SCHAEFER, 2nd Lt. O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true partial translation of Document No. 2651-PS.

GERARD SCHAEFER
2nd Lt. O-1332102

H1098-0133

PARTIAL TRANSLATION OF DOCUMENT NO. 2652-PS
OFFICE OF U. S. CHIEF OF COUNSEL

"Volkischer Beobachter, 24 March 1933

Extract from Speech of Hitler to Reichstag
on previous day.

(page 2)

The Government insists on the passage of this law. It expects a clear decision in any case. It offers to all the Parties in the Reichstag the possibility of a peaceful development and a possible conciliation in the future. But it is also determined to consider a disapproval of this law as a declaration of resistance. It is up to you, gentlemen, to make the decision now. It will be either peace or war.

- - - - - - - - - - - - - - - -

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2652-PS

15 Nov. 1945.

I, GERARD SCHAEFER, 2nd Lt. O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true partial translation of Document No. 2652-PS.

GERARD SCHAEFER
2nd Lt, Inf, O-1332102

H1098-0134

PARTIAL TRANSLATION OF DOCUMENT 2741-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Völkischer Beobachter, South German Edition
Munich, 10 November 1934

Speech of Hitler on 9 November 1934

Extract, page 2, Col. 1-2.

This November of 1923 gave us yet something else. It gave me the opportunity to lay down the new tactics of the Party to and pledge it to legality, without thereby turning the movement into a cowardly club affair. Then I could say to the Party what would otherwise never have been possible: from now on we fight as I want it and not otherwise. Nobody needs to teach me how to make a revolution; that I know myself. We thus have fought legally until today and yet have not lost the German youth, nor the impulsive strength of our people. Had we not marched in November 1923, all this would never have been possible.

- - - - - - - - - - - - - - -

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2741-PS

21 November 1945

I, GERARD SCHAEFER, 2nd Lt. O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true partial translation of Document No. 2741-PS.

GERARD SCHAEFER
2nd Lt, Inf, O-1332102

H1098-0135

H1098-0136

PARTIAL TRANSLATION OF DOCUMENT NO. 2742-PS
OFFICE OF U S CHIEF OF COUNSEL

2742-PS. Nationalsozialistisches Jahrbuch
(National Socialist Yearbook) 1927, p. 124

Passage written by FRICK

There is no National Socialist and no racialist who expects any kind of manly German deed from that gossip club on the Koenigsplatz and who is not convinced of the necessity for direct action by the unbroken will of the German people to bring about their spiritual and physical liberation. But there is a long road ahead. After the failure of November, 1923, there was no choice but to begin all over again and to strive to bring about a change in the spirit and determination of the most valuable of our racial comrades, as the indispensible prerequisite for the success of the coming fight for freedom. Our activities in parliament must be evaluated as merely part of this propaganda work.

Our participation in the parliament does not indicate a support, but rather an undermining of the parliamentarian system. It does not indicate that we renounce our anti-parliamentarian attitude, but that we are fighting the enemy with his own weapons and that we are fighting for our National Socialist goal from the parliamentary platform.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2742-PS

Nov. 21, 1945

I, GERARD SCHAEFER, 2nd Lt, Inf, O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2742-PS.

GERARD SCHAEFER,
2d, Lt, Inf, O-1332102

PARTIAL TRANSLATION OF DOCUMENT NO. 2743
OFFICE OF U S CHIEF OF COUNSEL

2743-PS. Nationalsizialistisches Jahrbuch
(National Socialist Yearbook) 1930. p. 178

Passage written by FRICK

"No wonder that as the situation of the entire German people, as well as that of the individual racial comrade, (Volksgenosse) grows rapidly worse, increasing numbers are realizing the incompetence of the parliamentary system, and no wonder that even some who are responsible for the present system desperately cry for a dictatorship. This however, will not save them from their fate of one day being called to account before a German State Tribunal."

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17 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2743

I, Betty D. Richardson, P.O., WRNS, 66370, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. 2743.

Betty D. Richardson,
P.O., WRNS, 66370

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TRANSLATION OF DOCUMENT 2759-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 285

Law for the Protection of National Symbols.
of 19 May 1933

Gesetz zum Lchutze der nationalen Lymbole
vom 18 Mai 1933

The Reich-Government has resolved the following law which is herewith promulgated.

Section 1

The public use of the symbols of the German history, the German State and the National resolution in Germany in a way which may hurt the feelings of dignity for those symbols is prohibited.

Section 2

The superior administrative authority at theplace of production, decides whether a product manufactured in violation of Section 1 has been brought into the market. In such case all products of this kind are subject to confiscation without any compensation.

Section 3

The police authorities may confiscate these products even prior to the decision of the superior administrative authority if according to their judgment an offence against the inhibition of Section 1 is being committed. In such cases they will have to notify immediately the administrative authority competent for such decisions.

Section 4

The parties may appeal against the decisions of the superior administrative authorities to the Supreme Land-Authority within 2 weeks. The complaint does not bring about any delay of the execution.

The Reich Minister of Public Enlightenment and Propaganda as well as the Land-Government above the superior administrative authority may demand likewise the decision of the Supreme Land-Authority through a representative of the public interest appointed by them within the period determined in Section 1.

Until the decision becomes valid the confiscation ordered by the superior administrative authority is considered as sequestration.

Section 5

No compensation for the effects of a confiscation will be granted, even if the final decision states that no offence against the inhibition of Section 1 has been committed.

Section 6

In doubtful cases the competent authorities should consult an expert who combines artistic understanding with consciousness of national responsibility.

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Section 7

Valid decisions pursuant to Sections 2 and 4 are effective in the entire Reich-territory.

Section 8

Police orders may be issued to execute the provisions of Section 1 in such cases where the offence is committed by singing or playing certain songs or otherwise by any other actions except the circulation of objects.

Section 9

Should anyone deliberately or carelessly bring any products into circulation in violation of a decision pursuant to Sections 2 or 4, he will be fined up to one hundred Reichsmark or be sent to prison.

Also will be punished who offends deliberately or carelessly police-orders issued pursuant to Section 8.

Section 10

Existing provisions concerning symbols or emblems of sovereignty (hoheitszeichen) of the German Reich or the German Provinces remain unchanged.

Section 11

The Reich Minister for Popular Englightenment and Propaganda issues the legal and administrative regulations required for the implementation of this law. Agreement with the Reich Minister for Interior is necessary, in as much, as regulations relating to symbols or emblems of sovereignty of the German Reich are concerned. He may issue directives for the administration of this law. The /governments determine which authorities are to be considered as supreme law-authority, superior administrative-or police-authorities within the purview of this law.

Berlin, 19 May 1933.

The Reich Chancellor: Adolf Hitler.
The Reich Minister for Popular Enlightenment and Propaganda: Dr. Goebbels.

The Reich Minister for the Interior: Frick.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2759-PS

17 November 1945.

I, ARNE OLSEN, 2nd Lt., AUS, O-2015976, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a correct and true translation of Document No. 2759-PS.

ARNE OLSEN
2nd Lt., AUS,
O-2015976.

H1098-0140

TRANSLATION OF DOCUMENT NO. 2955-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Wiesbaden, 14 November 1945

Land Gross - Hessen

Magnus HEIMANNSBERG states under oath:

Before World War I, after rising from the position of Constable, I was Police Commissioner in Mühlheim on the Ruhr. After the war, I was appointed Police Major in the Prussian Ministry of the Interior. There I worked primarily on the nationalization of the Municipal Police. From 1922 to 1923, I was in charge (Kommandeur) of the Security Police in Potsdam. In addition, I became Lieutenant Colonel and Deputy Chief of the Security Police in Berlin. In 1927, I was named Chief (Kommandeur) (with the rank of Police General) of this large police force. In 1932, when von PAPEN relieved BRÜNING, I was forced out of office by the Military Commander of Berlin, now General Field Marshal von RUNDSTEDT, and sent to military prison where I served a short term. Police President GRECZINSKE was also removed and arrested in this fashion. A few days after my first release, I was again arrested because I had allegedly planned a "Putsch" against the von PAPEN Government. When the National Socialists came to power, I was faced with active persecution. I was arrested several times and also, my liberty of movement was considerably curtailed. Thus for several years, my telephone conversations were checked and I was shadowed while on the street.

I was again arrested as a result of the "Putsch" of 1944, and spent three months as a prisoner in the hands of the People's Court and hence of the Gestapo. During this entire term, I received degrading treatment, particularly in that I was considered a criminal and kept in solitary confinement.

Shortly before the Americans took the town, I had evacuated my wife and daughter with a three month old baby to Limburg. There after the occupation by Captain FOX, I was charged with the reorganization of the Police Adviser of the Regierungspresident in Wiesbaden.

After the establishment of Land Gross - Hessen, in addition to my office as Police President in Wiesbaden, I was made Chief of Police for

the Land Gross - Hessen.

During my activity as Chief of the Security Police in Berlin, I was responsible for the training and the recruiting of the entire Berlin uniformed police. I had the particular responsibility for the frequent calls on the Police to control political riots, and in this connection, to restore law and order.

Politically, I belonged to the former Zentrum Party. As far as trade Union membership is concerned, I was a member of the Prussian Police Officials Union, of which I was one of the co-founders.

Until 1928, the NSDAP in Berlin came into prominence only sporadically. When GOEBBELS became "Gauleiter" of Berlin, however, the picture changed visibly. As he admitted himself, GOEBBELS used any methods which would further the Party (and at any cost) whether they were good or bad. In the selection of his methods, he was entirely unscrupulous. He also used his paper "Der Angriff" as a means toward his end. The line of this activity was plain and simple, viz. the Weimar State was to be discredited, at any cost, with the population and its supporters were to be robbed of all dignity in the eyes of public opinion. For instance, he had a special column in his paper, entitled: "They lie, they lie", and he labelled as lies all Government announcements which displeased the Nazis. He also organized a system for disrupting political meetings of all non-Nazi (Andersdenkenden) groups. The so-called "Rollkommandos" were organized and charged with interrupting and making noise and so on, in order to agitate the public and make the speaker nervous. Finally, he even went so far as to break up meetings with "Rollkommando" raids; in many cases, fights resulted during which the furniture of the particular halls was destroyed and a number of persons were hurt. This activity of the National Socialists was directed against all non-conformist (andersdenkenden) parties, but especially against the Communist and Social Democratic Parties. These so-called "Knüppelgarden" (truncheon guards) were armed with black-jacks, brass knuckles (Schalgringe), rubber truncheons (Gummischläuchen), walking sticks, and some times the attacks were carried out with empty bottles and beer glasses.

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After the "Reichstag" election of 1930, Nazi terrorism became more overt. From then on, scarcely a day went by when the Chief of the Security Police did not receive a minimum of five to ten reports, often more, of such riots, which were Nazi-instigated. As the date of the seizure of power approached, this state of affairs became so acute that we were obliged to put the entire Police Force on the job of fighting the Nazis, a condition which left little time for other Police duties.

Hand in hand with this general terrorization of the population came the persecution of the Jews. They (the Nazis) had not yet enough courage (nerve) to treat these people in the manner they used later when they were in power, but they obviously strived, not only to incite the population against the Jews, but also to make the Jews' life so unbearable that they would be forced to emmigrate. For instance, the National Socialists broke the windows of Jewish stores and residences, and ridiculed Jews in the streets in the presence of by-standers. It is a known fact, that in 1930, I believe, Nazi groups destroyed a great number of show windows of Jewish stores on Leipziger Strasse.

In order to hinder the Police in the performance of their duty against them, the Nazis sent letters to Police employees and officers whom they disliked with threats of dismissal and strict punishment in the event of the Nazi seizure of power. They also were in the habit of giving all kinds of nicknames to leading Police personalities. Thus, Police President, ZORGIEBEL was invariably called, in the Press as well as personally, "Dörrzweibel" (dried onion) and the Police Vice-President, Dr. WEISS, whose given name was Bernard, was called "Isidor", in order to emphasize his Jewish origin. Minister of the Interior SEVERING and we high police officers were continuously referred to by the term "Bluthund" (Blood Hound), while for Reich Chancellor BRÜNING, the usual insult used was "Hungerkanzler" (Hunger Chancellor).

When the Government - I think it was in 1930 - prohibited the wearing of any type Nazi uniform (especially the SA uniform), the Nazis got around it in the absence of uniforms by appearing in other similar articles of clothing, e.g. in blue trousers and white shirts. Nevertheless, the Police

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did not relax and pursued these camouflaged groups, as soon as they showed the slightest connection with the Party. And this campaign was carried out almost always through the singing of provoking songs designed to achieve a clash of classes. One of their favorite songs had the following infamous chorus: "And when Jewish blood gushes forth at the point of the knife, we like it all the better." They also adopted for parades and meetings the cry: "Perish the Jew" ("Juda Verrecke")

The Nazis were substantially supported by unscrupulous police officers who were careful to conceal their membership in the Party (among them a major), and since they were of necessity informed of security measures and planned police action, they caused great damage to the State, acting as spies for the Party. A case in point is that of the Major - later Chief (Kommandeur) - who made very special use of the police group WECKE, named for him. This man, as has been proved, at the very moment of an emergency Police action against Nazi riots, would deliberately put the men in his charge on some purposeless asignment, in order that his fellow Party members might carry out their plans undisturbed. If I remember correctly, WECKE, as a reward for his treacherous activities, was promoted from Major to General within a year after the seizure of power by the Nazis On one occasion, Police Captain TOLGER - since dead - who was under him for a time, called his (WECKE's) attention to disturbances instigated by an SA group and recommended that necessary steps be taken. WECKE pretended not to have heard.

Maybe it is worth mentioning that GOEBBELS would shrink from nothing, if he thought that a particular method had a chance of succeeding. Once, in order to disrupt the premiere of the film "All Quiet on the Western Front", he had white mice smuggled into the theater and then set them free; this caused an indescribable panic among the female moviegoers.

It is my understanding that in order to sway the elections to the advantage of the Nazis, many industrialists, who were Nazi sympathizers, did not shrink from artifically increasing unemployment by unnecessary dismissals of workers. Similarly, as it was often reported to me, it was often customary at the polls to falsify the votes to the advantage of the Nazis by

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adding "No's" and blank slips to the Hitler ballots, or to perform some such manipulation with the object of obtaining more Nazi votes.

In order to intimidate the voters, SA or other Nazi groups were posted at the polling places where they demanded in no uncertain terms, i.e. following the National Socialist terror principle, that the voters should cast their ballots only for the Nazis.

I have willingly made the above statement which, if I remember correctly, constitutes the essence of my Police experience in Berlin in connection with the NSDAP.

(Signed) MAGNUS HEIMANNSBERG

Sworn to before me this 14th day of November, 1945.

(Signed) Seymour M. Peyser
Major, J.A.G.D.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2955-PS

19 November 1945

I, MARY LEDLIE RIAL, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2955-PS.

MARY LEDLIE RIAL
Civilian

PARTIAL TRANSLATION OF DOCUMENT NO. 2962-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Minutes of the Conference of Ministers

15 March 1933 - 6:30 p.m.
at the Reich Chancellory

(page 2)

1. Political situation

The Reich Chancellor called the meeting to order and stated that the political situation was entirely clarified, now that the "Gemeinderatswahlen" had taken place.

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(page 3)

The "putting over" of the Enabling Act in the Reichstag, by a two-thirds majority would, in his opinion, meet with no opposition.

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(page 4)

The Reich Minister for the Interior pointed out that the Reichstag had to ratify the Enabling Act with a constitutional majority within three days. The Center Party had not expressed itself negatively.

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(page 5)

The Enabling Act would have to be broadly conceived, in a manner to allow for any deviation from the clauses of the Constitution of the Reich. It would have to be redefined every 4 years. The Reich Minister for the Interior proposes approximately the following text:

"The Reich Cabinet will be empowered to take such measures, as deemed necessary for the needs of the People and the State. This will allow for deviations from the clauses of the Reich Constitution".

It is still under consideration whether an addition to the contents would be advisable, in which the validity of the Enabling Act would be subject to the Reich Cabinet in its present form.

Now, according to the Reich Constitution, a two-thirds majority is required, therefore, a total of 432 delegates would have to be present for the ratification of the Enabling Act, if the communist vote were to be considered and one had to proceed on the basis of 647 elected Reichstag delegates. By subtracting the number of communist delegates, the result is 566. Then the presence of only 378 delegates would be required for the ratification of the Enabling Act. He (the Reich Minister for the Interior) deems it preferable not to annul the communist mandate. On the other hand, the prohibition of the KPD (German Communist Party) is indicated. Eventually, it might well be necessary to commit to work-camps those persons who remain faithful to Communism.

Reich Minister Goering expressed his conviction that the Enabling Act would be ratified with the required two-thirds majority. Eventually, the majority could be obtained, by refusing admittance to a few Social Democrats. Conceivably, however, the Social Democratic Party would abstain from voting for the Enabling Act. With respect to the election of the Reichstag President, the Social Democratic Party would certainly hand in blank ballots.

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The Reich Foreign Minister stressed likewise the necessity for a settlement of the flag question by the Reichstag. In addition, he asked if it were not advisable to make the Reichstag responsible for the conclusion of international agreements. Maybe, it would be sufficient to submit to the Reichstag for approval, a list of the agreements.

The Reich Minister for the Interior earnestly advised against this suggestion, because the Reichstag would get involved in endless discussion over the contents of the agreements.

The Reich Minister for Economics and Reich Minister for Food and Agriculture asked whether the collaboration of the Reich President was anticipated in preparing laws which, as a result of the Enabling Act, would be promulgated by the Reich Government.

State Secretary Dr. Meissner answered that the collaboration of the Reich President was not necessary. The Reich President would not demand to collaborate. Nevertheless it would be advisable, in the case of some laws, of special importance, to include the authority of the Reich President.

In addition, State Secretary Dr. Meissner pointed out that there remained difficulties to be overcome in the Reich Council in order to ratify the Enabling Act.

The Reich Chancellor explained that he felt confident that the present difficulties in the Reich Council would be overcome.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2962-PS

21 November 1945

I, MARY LEDLIE RIAL, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2962-PS.

MARY LEDLIE RIAL
Civilian

H1098-0146

PARTIAL TRANSLATION OF DOCUMENT No. 2963-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Minutes of the Conference of Ministers

Monday, 20 March 1933 - 11:15 a.m.
at the Reich Chancellory

(page 3)

1. Enabling Act

The Reich Chancellor reported on the Conference he had just completed with representatives of the Center Party. He continued (to say) that he based the necessity of the Enabling Act on this conference and that the representatives of the Center appreciated the necessity of such a law. The representatives of the Center had requested that a small Committee (Gremium) be organized which would be informed, regularly, of measures taken by the Reich Government on the basis of the Enabling Act. In their opinion, if this request were granted, the Center would doubtless ratify the Enabling Act. A ratification of the Enabling Act by the Center would mean increased prestige abroad.

The conference with the Center representatives would be continued on Wednesday.

The Reich Foreign Minister proposed a note concerning the arrangement to be agreed to by the representatives of the Center.

The Reich Minister for the Interior then expounded the contents of the attached draft of a law for the relief of the need of the People and the State (Reich). He pursued that, in his opinion, it would be most purposeful to introduce the draft as the initial proposal to the Reichstag. It would be best if the Party leaders within the Reichstag would give their indorsement.

Changes in the standing orders (Geschaeftsordnung) of the Reichstag are also necessary. An explicit rule must be made, that the unexcused absent delegates be considered present. It would probably be possible to ratify the Enabling Act on Thursday in all three readings.

The Deputy of the Reich Chancellor and Reich Commissioner for Land Prussia continued (to say) that a new "Staatsgrundgesetz" (State basic Law) must be created which would be free of exagerated Parliamentarism. Maybe the Reich Chancellor in his statement of policy, could make such statements.

The Reich Chancellor continued he had just explained to the representatives of the Center, that the Reichstag could be constituted as a National Assembly (Nationalversammlung) if the preparation for a new Reich Constitution were complete.

The Reich Minister for Economics and Reich Minister for Food and Agriculture continued that a paragraph describing the Reichstag to be a National Assembly might be inserted into the draft of the Enabling Act.

Reich Minister Goering continued that he had examined this question. However, he held this suggestion to be unadvisable.

The Reich Cabinet voted for the draft of a law for the relief of the need of the People and the State in the attached composition.

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(page 7)

5. Outside the Order of the Day: Announcements of Reich Minister Goering.

Reich Minister Goering announced that he had been obliged to take Major General von Bredow's (retired) pass away from him. Von Bredow had been in Paris recently and had given as justification for his trip, the visit to Ambassador Koester. Reich Minister Goering had learned that von Bredow had received recommendations from the French Ambassador and the Belgian Minister in Berlin, for General Staff officers of the French and Belgian armies. Rumors had been circulating from circles close to Bredow, that it was hoped -- in opposition to Hitler's cabinet -- that the German-French problem would be solved peaceably. Obviously, these circles wanted to overthrow Hitler's cabinet by means of Foreign Policy difficulties.

The Reich Minister continued that he had received no reports of these plans. In his opinion, they must be vigorously opposed.

Reich Minister Goering also announced that he had ordered SA-groups on the Polish border to be cautious. He had directed that SA-groups not to show themselves in uniform.

The Reich Foreign Minister recommended the SA be cautious, especially in Dantzig.

In addition, he pointed out, that Communists in SA uniforms were being caught continuously. These stool-pigeons had to be hanged. Justice had to find means and ways to make possible such a exemplary punishment for Communist stool-pigeons.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2963-PS

21 November 1945

I, MARY LEDLIE RIAL, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct partial translation of Document No. 2963-PS.

MARY LEDLIE RIAL
Civilian

H1098-0148